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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF INDIANA,
DURING THE
SPECIAL SESSION
OF
THE GENERAL ASSEMBLY,
COMMENCING
WEDNESDAY, APRIL 24, 1861.

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1861.

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES SPECIAL SESSION.

The Special Session of the General Assembly of the State of Indiana, convened by Proclamation of his Excellency, O. P. Morton, Governor, begun and held at the Capitol, in the city of Indianapolis, on Wednesday, the 24th day of April, in the year of our Lord one thousand eight hundred and sixty-one.

Jonathan W. Gordon, Principal Clerk of the House of Representatives, directed a call of the Representatives whose offices had not become vacant since the last session of the General Assembly, whereupon the following Representatives responded to their names and took their seats, to-wit:

Messrs. Anderson, Black, Brett, Bryan, Bundy, Burgess, Cameron, Campbell, Cason, Collins of Whitley, Collins of Adams, Coombs, Coopridger, Crain, Dashiel, Davis, Dobbins, Edson, Epperson, Erwin, Ferguson, Fisher, Ford, Fordyce, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Vermillion, Jones of Wayne, Kendrick, Lods, Lane, Lee, Lightner, McLean, Moorman, Moss, Nebeker, Orr, Packard, Parrett, Pitts, Polk. Prow, Randall,

Roberts, Sherman, Sloan, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—77.

Cyrus M. Allen, the former Speaker, laid before the House the following communication :

To the House of Representatives :

GENTLEMEN—We hereby tender our resignation as officers of the House of Representatives at the former regular session.

CYRUS M. ALLEN,
A. P. NEWKIRK, Clerk,
JAMES T. JOHNSON, Doorkeeper.

The Speaker also laid before the House the resignation of J. W. Gordon, former Clerk of the House at its regular session as follows :

CAMP MORTON, INDIANA, }
April 23, 1861. }

HON. CYRUS M. ALLEN,

Speaker of the House of Representatives :

DEAR SIR—The present condition of National affairs makes it improper, and indeed impossible, for me to remain at home to attend to the comparatively unimportant duties of Clerk of the House. A contest involving the existence of the Union and the Constitution, has been thrust upon us by a combination of traitors whose power makes their efforts against the Government formidable, if not dangerous. We are called upon to aid the legitimate authority of the country in breaking up that combination, and if possible extinguish the last sparks of treason against the freest and best Government in the world. I have resolved to render obedience to the call ; I shall go with the armies of the Union to re-establish the Government in the full possession of all its rights of property, dominion and sovereignty in every part of the country, nothing doubting that the people of Indiana, through their General Assembly, will give us every encouragement necessary to our success in so good and so holy a cause, and that He who is supreme over both armies and people will enable us to return in triumph, bringing back the *Star Spangled Banner*, with not a single star obscured,” and still “bearing for its motto”—that sentiment dear to every true American heart—Liberty and Union, now and forever, one and inseparable.”

I have the honor to resign into your hands, and through you into those of the House, the office of Clerk of the House of Representa-

tives of the General Assembly of Indiana, which I do with gratitude for the kindness and confidence that called me to so honorable a position.

I am yours truly,

J. W. GORDON.

Mr. Bundy moved that we now proceed to the election of Speaker. Which was taken by consent.

Mr. Heffren nominated Cyrus M. Allen.

Those who voted for Cyrus M. Allen, of Knox County, were,

Messrs. Anderson, Bingham, Black, Brett, Bryan, Bundy, Burgess, Cameron, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Coopridger, Crain, Dashiell, Davis, Dobbins, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Ford, Fordyce, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Knowlton, Lods, Lee, Lightner, McLean, Moody, Moorman, Moss, Mutz, Nebeker, Orr, Parrett, Pitts, Polk, Prow, Ragan, Randall, Robbins, Roberts, Sherman, Sloan, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Warrum, Wells, Williams, Wilson, Woodhull and Woods—83.

Whereupon, Cyrus M. Allen, having received all the votes cast, was declared duly elected Speaker of the House of Representatives for the present special session of the General Assembly, and was conducted to the chair by Messrs. Gresham and Heffren. Whereupon the Speaker returned his acknowledgments for the honor conferred upon him, and entered upon the discharge of the duties of his office.

On motion by Mr. Fisher,
The House proceeded to the election of Principal Clerk.

Mr. Fisher nominated Henry Crawford.

Those who voted for Mr. Crawford were,

Messrs. Anderson, Bingham, Black, Brett, Bryan, Bundy, Burgess, Cameron, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Coopridger, Crain, Dashiell, Davis, Dobbins, Edson, Epperson, Erwin, Ferguson, Fisher, Ford, Fordyce, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Knowlton,

Lods, Lane, Lee, Lightner, McLean, Moody, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Packard, Parrett, Pitts, Polk, Prow, Ragan, Randall, Robbins, Roberts, Sherman, Sloan, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—86.

Henry Crawford having received all the votes cast, was declared duly elected Principal Clerk of the House of Representatives for the present special session, and having first duly qualified, entered upon the discharge of the duties of his office.

Message from the Senate by Mr. Tyner, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has adopted the following resolution:

Resolved, That the Secretary inform the House that the Senate has organized by electing Thomas M. Brown, Principal Secretary; William H. Drapier, Assistant Secretary; Samuel G. Thompson, Principal Doorkeeper, and Henry Vandegrift, Assistant Doorkeeper, and that the Senate is ready to proceed to business.

Charles W. Chapman, of Kosciusko county, elected to fill the vacancy occasioned by the death of the Hon. Thomas G. Boydston, deceased, appeared, presented his credentials, was duly qualified and took his seat upon the floor of the House.

On motion by Mr. Dobbins,

The House proceeded to the election of Assistant Clerk of the House.

Azel P. Newkirk was re-nominated.

Those who voted for Mr. Newkirk were,

Messrs. Anderson, Bingham, Black, Brett, Bryan, Bundy, Burgess, Cameron, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Coopridge, Crain, Dashiell, Davis, Dobbins, Edson, Epperson, Erwin, Ferguson, Fisher, Ford, Fordyce, Frasier, Gifford, Goar, Gresham, Grover, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Wayne, Jones of Vermillion, Kendrick, Knowlton, Lods, Lane, Lee, Lightner, McLean, Moody, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Packard, Parrett, Pitts,

Polk, Prow, Ragan, Randall, Robbins, Roberts, Sherman, Sloan, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—86.

Mr. Newkirk having received all the votes cast, was declared duly elected Principal Assistant Clerk of the House for the present special session, and having duly qualified, entered upon the duties of his office.

On motion,

John Matthews was nominated for the office of Principal Doorkeeper of the House.

Those who voted for John Matthews for Principal Doorkeeper, were,

Messrs. Anderson, Bingham, Black, Brett, Bryan, Bundy, Burgess, Cameron, Campbell, Cason, Chapman, Collins of Whitley, Collins of Adams, Combs, Coopridge, Crain, Dashiell, Davis, Dobbins, Edson, Epperson, Erwin, Ferguson, Fisher, Ford, Fordyce, Frasier, Gifford, Goar, Grover, Hall, Haworth, Hayes, Heffren, Henricks, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Knowlton, Lods, Lane, Lee, Lightner, McClurg, Moody, Moorman, Moss, Mutz, Nebeker, Newman, Owens, Packard, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Randall, Robbins, Roberts, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Sloan, Trier, Thomas, Thompson, Turner, Underwood, Warrum, Wells, Williams, Wilson, Woodruff and Mr. Speaker—85.

Mr. Matthews having received all the votes cast, was declared duly elected Principal Doorkeeper of the House for the present special session.

On motion by Mr. McLean,

Resolved, That the Doorkeeper be requested to appoint John Johnson, of Owen county, as his Principal Assistant Doorkeeper during the present session.

Which was agreed to.

On motion by Mr. Orr,

Resolved, That the Senate be informed that the House of Representatives has organized by electing Hon. C. M. Allen, Speaker; Henry Crawford, Principal Clerk; A. P. Newkirk, Assistant Clerk;

John Mathers, Principal Doorkeeper, and that they are ready to proceed to Legislative business.

On motion by Mr. Cameron,

Resolved, That the House invite the members of the Musical Institute of this city under the charge of Mr. Suffren, to sing the "Star Spangled Banner" and "Red, White and Blue," and that the Senate be invited to be present.

On motion by Mr. Gresham,

Resolved, That his Excellency, the Governor, be directed to make provision for the accommodation of all military companies that are now in the city and not mustered into the service of the United States until otherwise ordered by the General Assembly.

On motion by Mr. Frasier,

Resolved, That the thanks of this House be tendered to the ladies and gentlemen composing Mr. Suffren's Musical troop, for their kindness and courtesy shown this House by singing so finely those patriotic and national songs.

On motion by Mr. Bundy,
The House adjourned till to-morrow morning 9 o'clock.

THURSDAY MORNING, 9 o'clock, }
April 25, 1861. }

The House met.

Journal read and approved.

John D. Mathers, who was yesterday elected Doorkeeper of the House, appeared, was duly qualified, and entered upon the duties of his office.

On motion by Mr. Bundy,

Resolved, That a committee of three be appointed to act with a like committee on the part of the Senate, to wait upon his Excellency the Governor, and inquire when it will be convenient for him to deliver his message to the General Assembly.

The speaker announced the committee on the part of the House to wait upon the Governor to consist of Messrs. Bundy, Smith of Bartholomew, and Heffren.

JOINT RESOLUTIONS.

By Mr. Roberts,

Joint Resolution No. 1. A joint resolution tendering all the aid both in men and means which this Commonwealth can afford, to put down treason, preserve the Union, enforce the laws, and perpetuate the liberties of the people.

By unanimous consent,

Mr. Heffren moved that the joint resolution be referred to a select committee of one from each Congressional District.

Which was agreed to.

Message from the Senate, by Mr. Brown, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate has passed the following resolution :

Resolved, That a Committee of three, on the part of the Senate, to act with a similar Committee on the part of House, be appointed to procure the services of some Minister of the Gospel of this City to open the session with prayer in joint convention, this day at 10 o'clock, and Messrs. Murray, Turner and Carnahan be that Committee on the part of the Senate.

On motion by Mr. Heffren,

The Senate message was taken up and concurred in by the House.

Ordered, That the Clerk inform the Senate thereof.

Whereupon,

The Speaker announced the following as the Committee on the part of the House: Messrs. Goar, Lane and Smith of Miami.

On motion by Mr. Bundy,

Resolved, That the Standing Rules and Joint Rules of the last session be adopted as the rules of this session until changed or modified.

Mr. Hayes offered the following resolution :

Resolved, That the Doorkeeper contract with the Publishers of the Indiana State Sentinel and State Journal for three copies of their respective papers for each member during the present session, two copies to be enveloped and stamped. Also, for six copies of the two German papers, to be enveloped and stamped, and also for one copy of the Indiana American.

Mr. Frasier moved to lay the resolution on the table.

A division being called for, the motion to lay on the table was lost.

The question being on the passage of the resolution,

Mr. Bundy offered the following substitute :

Resolved, That the Doorkeeper contract with the Publishers of the State Journal and Sentinel for one copy each of their respective papers, to be laid on the desks of members.

Mr. Dobbins moved to lay the substitute on the table.

The question being on the motion to lay on the table,

Messrs. Bundy and Woodhull demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Anderson, Bingham, Brett, Brucker, Bryan, Cason, Collins of Whitley, Collins of Adams, Combs, Coopridier, Dashiel, Davis, Dobbins, Edson, Epperson, Flemming, Gifford, Hall, Harvey, Hayes, Heffren, Holcomb, Hopkins, Horton, Howard, Hudson, Jenkinson, Jones of Vermillion, Jones of Wayne, Kendrick, Knowlton, Lods, Lane, McClurg, Mutz, Newman, Owens, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Robbins, Sloan, Sherman, Smith of Bartholomew, Stotsenburg, Trier, Thomas, Turner, Veatch, Wells, Wilson, Woods and Mr. Speaker—55.

Those who voted in the negative were,

Messrs. Bundy, Campbell, Chapman, Crain, Erwin, Feagler, Ferguson,

Fisher, Ford, Fordyce, Frasier, Gresham, Haworth, Henricks, Hurd, Jones of Tippecanoe, Lee, Lightner, McLean, Moorman, Moss, Nebeker, Orr, Packard, Randall, Roberts, Stevenson, Thompson, Underwood, Warrum, Williams and Woodhull—32.

So the substitute was laid on the table.

The question recurring on the passage of the resolution,
Mr. Packard moved to amend by striking out "the Indiana American.

Mr. Ferguson moved to lay the whole subject on the table.

Mr. Heffren called for a division of the question.

The question being on laying the amendment on the table,
It was not agreed to.

The question recurring on the adoption of the amendment,
Mr. Stotsenburg demanded the previous question.

The demand for the previous question being seconded by the House,

Messrs. Bundy and Packard demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bingham, Black, Brett, Brucker, Bryan, Cason, Chapman, Collins of Whitley, Collins of Adams, Combs, Coopridger, Crain, Dashiell, Davis, Dobbins, Edson, Erwin, Feagler, Fisher, Flemming, Ford, Fordyce, Frasier, Gifford, Goar, Gresham, Harvey, Heffren, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Knowlton, Lods, Lane, Lee, Lightner, McClurg, McLean, Moss, Mutz, Nebeker, Newman, Owens, Packard, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Warrum, Woodhull and Woods—70.

Those who voted in the negative were,

Messrs. Anderson, Bundy, Campbell, Epperson, Ferguson, Haworth, Hayes, Orr, Sherman, Turner, Underwood, Veatch, Wells, Williams, Wilson and Mr. Speaker—16.

So the amendment was adopted.

The question recurring on the passage of the resolution as amended,

Messrs Crain and Moorman demanded the ayes and nays.

Those who voted in the affirmative were,

Messrs. Anderson, Bingham, Brett, Brucker, Bryan, Collins of Whitley, Collins of Adams, Combs, Coopridge, Dashiell, Davis, Dobbins, Edson, Fleming, Ford, Gifford, Harvey, Hayes, Heffren, Holcomb, Hopkins, Horton, Howard, Hudson, Jenkinson, Jones of Vermillion, Jones of Wayne, Knowlton, Lods, Lightner, McClurg, Moss, Mutz, Nebeker, Packard, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Robbins, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stotsenburg, Trier, Thomas, Thompson, Turner, Veatch, Warrum, Wells, Wilson, Woodhull, Woods and Mr. Speaker—58.

Those who voted in the negative were,

Messrs. Black, Bundy, Campbell, Cason, Chapman, Crain, Epperson, Erwin, Feagler, Ferguson, Fisher, Fordyce, Frasier, Goar, Gresham, Haworth, Henricks, Hurd, Jones of Tippecanoe, Kendrick, Lane, Lec, McLean, Moorman, Newman, Orr, Randall, Roberts, Stevenson, Underwood, Williams and Woods—31.

So the resolution as amended was adopted.

Mr. Bundy, from the select committee appointed to wait upon the Governor, made the following report :

MR. SPEAKER:

The select committee of three, appointed to act with a like committee on the part of the Senate, to wait upon his Excellency, the Governor, and inquire at what time he will deliver his message to the General Assembly, have performed that duty, and now report that the message will be delivered at half past ten o'clock, this day.

On motion by Mr. Orr,

Resolved, That newspaper reporters be allowed seats inside of the bar, for the purpose of reporting the proceedings of this House.

Message from the Senate by Mr. Brown, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has passed the following joint resolution thereof:

Be it resolved by the General Assembly of the State of Indiana, That the Governor of the State be authorized to make arrangements to return home, at the cost of the State such volunteers as may have come to Indianapolis in regular volunteer companies, and have been discharged, and desire to return home, upon the certificate of the Governor or Adjutant General.

In which the concurrence of the House is respectfully requested.

On motion by Mr. Fisher,
The Senate message was taken up.

The question being on the adoption of the joint resolution,

Those who voted in the affirmative were,

Messrs. Anderson, Bingham, Brett, Brucker, Bryan, Bundy, Campbell, Cason, Chapman, Collins of Whitley, Combs, Coopridner, Crain, Dashiell, Davis, Dobbins, Edson, Epperson, Erwin, Ferguson, Fisher, Fleming, Ford, Fordyce, Frasier, Gifford, Goar, Gresham, Grover, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Knowlton, Lods, Lane, Lee, Lightner, McClurg, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Packard, Parrett, Pitts, Prosser, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—87.

No one voting in the negative.

So the joint resolution passed.

Ordered, That the Clerk inform the Senate thereof.

On motion of Mr. Heffren,

Resolved, That the Senate be invited to the Hall of the House at 10½ o'clock to-day, to receive in Joint Convention the message of his Excellency the Governor, and that seats be provided for them on the right of the Speaker.

On motion by Mr. Heffren,

Resolved, That the Librarian be directed to procure, as economically as possible, all stationary necessary for the use of the House during

the present session, and safely keep the same in the Library rooms under his own charge, subject to be delivered to the Principal and Assistant Clerks and Members of the House in such quantities as they may require, upon written order to be delivered to said Librarian as the same is obtained, which order the Librarian shall retain and carefully file as a voucher of the amount so delivered.

Resolved, That the Librarian be directed to procure the stationary of the Secretary of State, who shall keep an accurate account of the same and take the Librarian's receipt for the same, and the State Librarian shall report every two weeks the amount of stationary purchased for and the amount used by the House.

Mr. Crain asked and obtained leave to introduce

House Bill No. 1. A bill declaring and defining what shall be treason against the State of Indiana and providing the punishment therefor; defining who are accessories to such crimes and declaring the punishment therefor.

Was read a first time, and passed to a second reading on to-morrow.

Mr. Frasier asked and obtained leave to introduce

House Bill No. 2. A bill to amend an act "entitled an act providing for the election and prescribing certain duties of the Clerk of the Supreme Court," approved May 13th, 1852.

Was read a first time.

Mr. Nebeker moved to reject the bill,

Which was not agreed to.

The bill then passed to a second reading.

On motion by Mr. McLean,

Resolved, That it is the sense of this House that no general legislation be transacted during the present session, except such legislation as may be deemed of especial and immediate interest to the people of the State.

Mr. Veatch asked and obtained leave to introduce,

House Bill No. 3. A bill to authorize the Board of Commissioners of each county, and the corporate authorities of each city and incorporated towns within the State, to make appropriations for defense against invasion, insurrection or unlawful violence, and to authorize

the levying of a tax for that purpose, and legalizing all appropriations heretofore made.

Was read a first time.

Mr. Heffren moved to suspend the rules and read House Bill No. 3 a second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anderson, Bingham, Black, Branham, Brett, Brucker, Bryan, Bundy, Cameron, Campbell, Cason, Chapman, Collins of Whitley, Collins of Adams, Combs, Coopridger, Crain, Dashiell, Davis, Dobbins, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Frasier, Gifford, Goar, Gresham, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Knowlton, Lods, Lane, Lee, Lightner, McClurg, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Owens, Packard, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull and Mr. Speaker—91.

No one voting in the negative.

So the rules were suspended, and House Bill No. 3 read a second time by its title.

On motion by Mr. Parrett,

House Bill No. 3 was referred to the Committee on the Judiciary.

Mr. Holcomb asked and obtained leave to present a petition from sundry citizens of Gibson county praying for the enactment of a law prohibiting the seizure or sale upon execution or other order issued from any court of this State against the property of any citizen of the State of Indiana who may enter the military service of the Government of the United States, or the State of Indiana during their active service,

Which was read and referred to the Committee on the Judiciary.

The Speaker laid before the House the following communication.

To the House of Representatives of the State of Indiana:

At a meeting of numerous citizens of the county of Laporte, convened for the purpose of considering the subject of providing for the
E. S. H. J.—2.

families of those who volunteer to aid the General Government in the enforcement of the laws, and to suppress rebellion, the following resolutions were presented and concurred in :

Resolved, That the General Assembly of this State be requested to enact laws at its special session about to convene, authorizing the Boards of County Commissioners of the several counties of this State, to make such appropriations of money from time to time, to be paid out of their respective county treasuries, as they may deem necessary and proper, for the support of the families of such citizens of their respective counties as shall enroll themselves as volunteers and be mustered into the service of the United States to aid in the suppression of the southern rebellion.

Resolved, That copies of the foregoing resolution be forwarded by the Chairman and Secretary of this meeting to the President of the Senate and the Speaker of the House of Representatives.

W. B. BIDDLE, *Secretary*.

A. L. OSBORNE, *President*.

Which,

On motion,

Was referred to the Committee on the Judiciary.

On motion by Mr. Robbins,

Resolved, That the House instruct the Doorkeeper to procure for the use of members and officers of the House, one dollar's worth of postage stamps, to be furnished at as early a day as possible.

Mr. Frasier moved to amend by striking out "one dollar" and inserting "two dollars."

Mr. Cason moved to lay the whole subject on the table.

Mr. Nebeker called for a division of the question.

The question being on laying the amendment on the table,
It was agreed to.

The question being on laying the resolution on the table,
It was not agreed to.

The question then recurring on the adoption of the resolution,

Messrs. Cason and Cameron demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bingham, Bryan, Cameron, Cason, Collins of Whitley,

Collins of Adams, Combs, Coopridger, Dobbins, Edson, Fisher, Fleming, Fordyce, Frasier, Gifford, Goar, Gresham, Harvey, Hayes, Holcomb, Hopkins, Howard, Horton, Jenkinson, Jones of Vermillion, Knowlton, Lods, Lightner, McClurg, McLean, Moorman, Moss, Mutz, Nebeker, Orr, Packard, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Randall, Robbins, Sherman, Stotsenburg, Trier, Turner, Warrum, Wells, Wilson, Woods and Mr. Speaker—53.

Those who voted in the negative were,

Messrs. Anderson, Black, Brett, Brucker, Campbell, Chapman, Dashiell, Davis, Epperson, Erwin, Feagler, Ferguson, Ford, Hall, Haworth, Henricks, Hudson, Hurd, Jones of Tippecanoe, Jones of Wayne, Kendrick, Lane, Lee, Newman, Roberts, Sloan, Smith of Miami, Stevenson, Thomas, Thompson, Underwood, Williams, Woodhull—33.

So the resolution was adopted.

The Speaker announced the following Select Committee on the part of the House on the joint resolution offered by Mr. Roberts :

First Congressional District—Mr. Veatch.
 Second Congressional District—Mr. Heffren.
 Third Congressional District—Mr. Bingham.
 Fourth Congressional District—Mr. Roberts, Chairman.
 Fifth Congressional District—Mr. Haworth.
 Sixth Congressional District—Mr. Warrum.
 Seventh Congressional District—Mr. Crain.
 Eighth Congressional District—Mr. McClurg.
 Ninth Congressional District—Mr. Hurd.
 Tenth Congressional District—Mr. Jenkinson.
 Eleventh Congressional District—Mr. Fisher.

The hour having arrived which was fixed for the Joint Convention of the two Houses to open the session of the General Assembly with prayer, and to hear the communication of the Governor, the Senate appeared, and the session having been opened by prayer, by the Rev. J. H. Dixon, the Governor appeared in person and laid before the General Assembly the following Message :

Gentlemen of the Senate and House of Representatives:

You have been summoned together under circumstances of the most grave and important character. Our country is placed in a condition hitherto unknown in her history, and one which all patriots and lovers of liberty throughout the world had fondly hoped would never occur. Civil war, that has ever been the bane of Republics, has been inaugurated by certain rebellious States which, unmindful of

their constitutional obligations, and regarding not our common history, blood, interests and institutions, are seeking to dismember the Nation and overthrow the Federal Government, so wisely, and as we had believed, permanently established by our fathers.

The origin of this most wicked rebellion dates back more than thirty years. It is well known that distinguished Southern Statesmen, as early as 1829, cherished the dream of a vast Southern Slaveholding Confederacy, comprehending the conquest of Cuba, Mexico and Central America. The determination was then formed to break our Republic into pieces by any available pretext. The first one seized upon by South Carolina, was the tariff question; and had not the Nation had for its Executive a man greatly distinguished for patriotism, courage and decision of character, wide, spreading and disastrous consequences, might have followed. By prompt and energetic action, the rebellion was crushed out for the time, to be revived as subsequent events have shown, on new pretenses and in another form.

The election of a President of the United States through the forms of the Constitution, entertaining opinions obnoxious to certain States of the Confederacy, is boldly published to the world as just cause for the dissolution of the Union, and bringing on if necessary for that purpose all the horrors of a bloody revolution. It would be an insult to your intelligence to argue that the admission of this pretence as justification would be clearly fatal to all republican government; that popular institutions can only be sustained by submission to the will of the people as expressed through the forms of the Constitution, trusting to the peaceful remedy of the ballot-box for the redress of grievances. And the wickedness of this pretense is greatly aggravated by the reflection, that it is utterly hypocritical, that it was only put forward in furtherance of schemes entertained for years, and supported by notoriously false assumptions of fact and logic.

When we read the history of the late Democratic Convention at Charleston by the light of subsequent events, can we fail to see that the scheme of secession and dismemberment of the Republic was then completely formed, and that the disruption of that Convention was one of the steps towards its consummation. If confirmation of this opinion were needed, it will be found in the fact that certain traitorous members of Mr. Buchanan's Cabinet were systematically engaged, for many months before the late Presidential election, in placing the arms and defences of the nation in a position to be readily seized by the seceding States.

Secession was at first argued as a right springing from the Constitution itself, but as the movement gained strength, the flimsy pretext was abandoned, and ceased to be a subject of discussion, and what in an hour of weakness was claimed by feeble argument, is now boldly asserted by military power.

The North, conscious of her strength and the rectitude of her intentions, has hitherto remained quiet, making no preparation what-

ever for a conflict of arms. Her forbearance has been construed into cowardice, and her efforts to keep the peace have but provoked increased insolence and aggression. The secession movement has from the beginning been an act of war. Ordinances of secession have been immediately followed and sometimes preceded by the violent seizure and plunder of national property, and the forcible expulsion of the agents and officers of the Federal Government. From the very first, and at every step in its progress, it has been distinguished by acts of hostility and outrage, alike injurious to the nation and insulting to the people of the loyal States.

The secessionists were profoundly convinced that the co-operation of the Border Slave States could not be procured without a conflict of arms between them and the Federal Government, and hence have labored assiduously to place the government in a position that a collision could not be avoided, except by the most abject submission and humiliation. The intention to force a conflict has been most apparent, and delay was suffered only that they might complete their preparations; and when at last their preparations were complete, and wearied by the long forbearance of the Government they inaugurated hostilities by assaulting and reducing Fort Sumter.

The place where Fort Sumter is situated had been regularly ceded by the State of South Carolina to the Federal Government, and by an express provision of the Constitution was under the exclusive jurisdiction of the United States. It was unfinished, and held by a garrison of less than one hundred men, and while in this condition was invested by a large army, cutting off all approach to it by sea or land. The stock of provisions was almost exhausted and the immediate prospect was presented to the feeble garrison of starvation, or yielding up into the hands of an avowed enemy a fortress of the United States. At this juncture, the Federal government, which had waited long, perhaps too long, declared its determination to send provisions to the garrison. Before this attempt could be made, and before a single sail of the fleet was seen off the harbor, a powerful cannonade was opened upon Sumter, which resulted in its destruction and surrender.

Every day brings us intelligence of new outrage and assault. Throughout the rebellious States is heard the note of preparation for an extensive and aggressive campaign. The National Capital is menaced, and every avenue of approach for Federal troops and provisions is attempted to be cut off. The free navigation of the Mississippi River, the great artery of Commerce of the Northwest, is obstructed; and the usurping government of the rebellious States has issued a Proclamation inviting the freebooters of all the world to prey upon our National commerce.

We have passed from the field of argument to the solemn fact of war, which exists by the act of the seceding States. The issue is forced upon us, and must be accepted. Every man must take his position upon the one side or upon the other. In time of war there is no ground upon which a third party can stand. It is the imperative

duty of all men to rally to the support of the Government, and to expend in its behalf, if need be, their fortunes and their blood. Upon the preservation of this Government depends our prosperity and greatness as a nation; our liberty and happiness as individuals. We should approach the contest not as politicians, nor as ambitious partizans, but as patriots, who cast aside every selfish consideration when danger threatens their country. The voice of party should be hushed, and the bitterness that may have sprung out of political contests be at once forgiven and forgotten. Let us rise above these paltry considerations, and inaugurate the era, when there shall be but one party, and that for our country. The struggle is one into which we enter with the deepest reluctance. We are bound to the people of the seceding States by the dearest ties of blood and institutions. They are our brothers and our fellow countrymen. But if they regard not these tender relations, how can we? If they wage war upon us and put themselves in the attitude of public enemies, they must assume all the responsibilities incident to that position. But while I deplore deeply the character of the contest in which we are engaged, nevertheless we should meet it as men.

To our sister State of Kentucky we turn with hope and affection. She has grown rich and prosperous in the Republic; could she do more if she were out of it? It would be a sad day that would sever the bond which binds these States together, and places us in separate and hostile nations. I appeal to her by the ties of our common kindred and history; by our community of interest, by the sacred obligations that bind us to maintain the Constitution inviolate, to adhere to the Union, and stand fast by that flag in defence of which she has so often shed her best blood. I pray her to examine her past history and perceive how the tide of her prosperity has flowed on unbroken, and ever increasing, until her limits are filled with material wealth and her people are respected, elevated and happy; and then inquire if all this is not the result of that Union she is called upon to break, and of that government she is invited to dishonor and overthrow. To ask Kentucky to secede, is to ask her to commit foul dishonor and suicide. I trust that the good sense and patriotism of her people will not suffer her to be dragged by the current of events, which has been cunningly invented for that purpose, into the vortex of disunion; nor permit her to be artfully inveigled into an armed neutrality between the rebellious States and the Federal Government. Such a position would be anomalous and fatal to the peace and perpetuity of the Union. There is no ground in the Constitution midway between a rebellious State and the Federal Government upon which she can stand, holding both in check and restraining the Government from the enforcement of the laws and the exercise of its constituted authority. Such an attitude is at once unconstitutional and hostile. At a time like this, if she is not for the Government, aiding and maintaining it by the observance of all her constitutional obligations, she is against it. If the voice of her people can be heard, I fear not the result. Secession can only triumph, as it has triumphed in other

States, by stifling the voice of the people and by the bold usurpation, by demagogues and traitors, of the powers which rightfully belong to them alone. And I might here remark, it is quite manifest that the schemes of the authors and managers of the rebellion, extend far beyond the dissolution of the Union, and embrace the destruction of the democratic principle of government, and the substitution of an aristocracy in its stead. In the seceding States the control of public affairs has been withdrawn substantially from the people, and every proposition to submit to their consideration measures of the most vital importance has been contemptuously overruled; and we are in truth called upon to fight not only for the Union, but for the principle upon which our State and National Governments are founded.

If the rebellious States hope to profit by dissensions in the North, they have erred egregiously, and have wholly failed to comprehend our people. Our divisions were merely political, and not fundamental; and party lines faded instantly from sight when the intelligence went abroad that war was being waged against the nation. When the sound of the first gun reverberated through the land, the people of the North arose as one man, and declared that the Government must be sustained and the honor of our Flag preserved inviolate at whatever cost. The events of the last ten days are pregnant with instruction and moral grandeur. They present the action of a people who have suffered much and waited long; who were slow to take offense and incredulous of treason and danger; but who, when the dread appeal to arms was made and the issue could no longer be avoided with honor or safety, promptly abandoned the peaceful pursuits of life and devoted themselves to the service of their country. I trust that the force of this lesson may not be lost upon our erring brethren of the South, and that they will at once perceive they have inaugurated a contest from which they cannot emerge with honor and profit.

On the 15th day of the present month the President of the United States issued his Proclamation calling upon the loyal States to furnish 75,000 men for the protection of the Government, the suppression of rebellion and the enforcement of the laws. Subsequently the quota to be furnished by Indiana was fixed at six regiments, of seven hundred and seventy men each. In obedience to this call I issued my Proclamation calling for volunteers, and in less than eight days more than 12,000 men have tendered their services, and the contest among the companies has been earnest and exciting as to which shall secure a place within the quota. This response has been most gratifying and extraordinary, and furnishes indubitable evidence of the patriotism of Indiana, and her entire devotion to the Union. Without distinction of party, condition, or occupation, men have rallied around the national standard, and in every part of the State may be heard the sound of martial music and witnessed the mustering of companies into the field. In view of this remarkable response made to the Proclamation on the 20th inst., I tendered to the President for the service of the United States six additional regiments; but telegraphic and

postal communication having been cut off with Washington, no answer has been received up to this time. A camp was formed in the neighborhood of this city for the reception of the troops, and Major Wood, of the U. S. Army, has been busily engaged for several days in mustering them into the service. There are in camp — companies, being an excess of the number called for by the President, and in addition to that, every company largely exceeds, and in some instances more than doubles the number that can be finally received into the company. Some companies came by mistakes unavoidably occurring in the office of the Adjutant General, and others without marching orders. They will be retained in camp, and provided with quarters and subsistence, awaiting the action of the Legislature. I cannot refrain from here expressing the opinion that has been uttered by many who have visited the camp, that finer material for a gallant army was never assembled.

The report of the Adjutant General, Lewis Wallace, is herewith transmitted, and I beg leave in this manner to tender him my hearty thanks for his able and efficient services in that department.

In view of all the facts, it becomes the imperative duty of Indiana to make suitable preparations for the contest by providing ample supplies of men and money to ensure the protection of the State and General Government in the prosecution of the war to a speedy and successful termination. I therefore recommend that one million of dollars be appropriated for the purchase of arms and munitions of war, and for the organization of such portion of the Militia as may be deemed necessary for the emergency. That a militia system be devised and enacted looking chiefly to volunteers, which shall insure the greatest protection to the State, and unity and efficiency of the force to be employed. That a law be enacted defining and punishing treason against the State. That a law be enacted suspending the collection of debts against those who may be actually employed in the military service of the State or the United States. That suitable provision be made by the issue of the bonds of the State or otherwise for raising the money herein recommended to be appropriated. And that all necessary and proper legislation be had to protect the business, property, and citizens of the State, under the circumstances in which they are placed

O. P. MORTON, *Governor.*

The business for which the Convention assembled having been transacted, the Chairman declared the Convention adjourned, and the Senate returned to their own chamber.

Mr. Heffren offered the following resolution:

Resolved, That seven thousand copies of the Governor's message be printed for the use of the House, two thousand of which shall be in German, and that the State Printer be requested to furnish said copies at the earliest moment.

Mr. Crain moved to amend by striking out two thousand in German and inserting one thousand.

Which was not agreed to.

Mr. Lane moved to amend by inserting ten thousand.

Which was not agreed to.

Mr. Bundy moved to amend by inserting seven thousand, five thousand in English and two thousand in German.

Which was agreed to.

The resolution, as amended, was then adopted.

On motion,

Messrs. Parrett, Davis and Ragan, were appointed a Committee to superintend the printing and delivery of the Governor's message to the members.

On motion by Mr. Bundy,

The House adjourned till 2 o'clock P. M.

2 O'CLOCK, P. M.

The House met.

Mr. Collins of Adams, offered the following resolution :

WHEREAS, differences of opinion prevail among the County Surveyors of this State in reference to the proper manner of subdividing exterior quarter sections on the north and west sides of townships, therefore,

Resolved, That a committee of five be appointed to investigate the matter and report upon the same at their earliest convenience.

Which was adopted.

The Speaker announced to the House the following order of business :

1st. Petitions, memorials, remonstrances and resolutions, several and joint, from 9 to 10 A. M.

2d. Reports from standing and select committees from 10 to 11.

3d. Introduction of bills, bills on a second reading, from 11 to adjournment.

4th. Bills on their passage.

On motion by Mr. Ragan,

Resolved, That the Principal and Assistant Clerks of this House be required to appoint three Assistants each, and only one Enrolling and one Engrossing Clerk. The Doorkeeper to appoint one Assistant and one Sub-Assistant.

The Speaker announced the following as the committee on Mr. Collins of Adams resolution on Surveying :

Messrs. Collins of Adams, Jones of Wayne, Wells of Pike, Crain of Parke, and Lane of Putnam.

On motion by Mr. Heffren,

Resolved, That the Governor be requested, if in his opinion not incompatible with the public interest, to inform this House of the amount of arms now held by the State; how many have been distributed and to what counties; the kind and description of the said arms, and whether the arms now in possession of the State are designed for the companies now at "Camp Morton," or for Home companies.

Mr. Parrett, from the select committee to superintend the printing of the Governor's message, made the following report:

MR. SPEAKER:

The select committee on the printing and furnishing to this House seven thousand copies of the Governor's message, and other matters properly connected therewith, report that it has had an interview with the State Printer and informed him of the purport of the resolution of this House in regard to that matter.

The public printer informs your committee that the five thousand copies in the English language will be delivered to the Librarian in time to be distributed by Saturday morning, and the copies in German language as soon as the message can be translated, and that they will be ready at an early day next week.

Which was concurred in.

Mr. Bundy moved that the House do now take up the Governor's message.

Which was agreed to.

Mr. Heffren moved that so much of the message as relates to the raising of money, &c., be referred to the Committee of Ways and Means, and so much as relates to military affairs to the Committee on Military Affairs.

Which was agreed to.

Mr. Bundy moved that so much of the message as relates to the suspension of the collection of debts, and to treason, be referred to the Committee on the Judiciary.

Which was agreed to.

Mr. Fisher asked and obtained leave to introduce,

House Bill No. 4. A bill making an appropriation to defray the expense of preparing to respond to the call of the President of the United States for troops.

Was read a first time.

Mr. Fisher moved that the rule be suspended and the House bill No. 4 read a second time by its title.

The ayes and noes being taken under the constitution.

Those who voted in the affirmative were,

Messrs. Anderson, Bingham, Black, Brett, Brucker, Bryan, Bundy, Burgess, Cameron, Campbell, Cason, Chapman, Collins of Witley, Collins of Adams, Combs, Coopridner, Crain, Dashiell, Dobbins, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Lods, Lee, Lightner, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Packard, Parrett, Pitts, Polk, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—85.

No one voting in the negative.

So the rules were suspended and House bill No. 4 read a second time by its title.

Mr. Bundy moved that the bill be referred to a select committee of five.

Which was agreed to.

The Speaker announced the committee as follows :
Messrs. Fisher, Bundy, Hayes, Ford and Stotsenburg.

On motion,

A leave of absence was granted to Captain Burgess, Captain Cameron, Lieutenant Moody, and Lieutenant Grover, to attend to military duty.

Mr. Heffren offered the following concurrent resolution :

Resolved by the House of Representatives, the Senate concurring therein, That the Auditor of State be requested to draw his warrant upon the Treasurer of State for the *per diem* and mileage of members and officers of the General Assembly upon the certificate of the presiding officers of each House, and that provision be made in the appropriation bill for the repayment of the same.

Which was adopted.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Orr,

Resolved, That the Doorkeeper employ some suitable person to carry the mail from the House to the Post Office.

Mr. Bingham asked and obtained leave to introduce,

House bill No. 5. A bill for the relief of banking institutions, and providing for changing their place of business.

Was read a first time.

Mr. Heffren moved to suspend the rules, and read House bill No. 5 a second time by its title.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Anderson, Bingham, Black, Brett, Brucker, Bryan, Bundy, Burgess, Cameron, Campbell, Cason, Chapman, Collins of Whitley, Combs, Coopridier, Crain, Dashiell, Dobbins, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Frasier, Gifford,

Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Lods, Lee, Lightner, McClurg, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Packard, Parrett, Pitts, Polk, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Wilson, Woodhull, Woods and Mr. Speaker—85.

Mr. Collins of Adams voted nay—1.

So the rules were suspended, and House bill No. 5 read a second time by its title.

Mr. Bundy moved to refer the bill to the Committee on the Judiciary.

Which was agreed to.

Mr. Frasier announced the death of Hon. Thomas G. Boydston, one of the members of the House.

Mr. Moorman moved to appoint a select committee of five, to draft resolutions of respect to the memory of the deceased.

The Speaker announced the committee on Mr. Moorman's motion as follows :

Messrs. Moorman, Frasier, Dobbins, McLean and Underwood.

On motion by Mr. Crain,

The House adjourned till to-morrow morning at 9 o'clock.

FRIDAY MORNING, 9 o'clock, }
April 26, 1861. }

The House met.

The Speaker being absent on account of illness, the Clerk called the House to order, and Mr. Fisher was called to the chair.

Mr. Edson moved to dispense with the reading of the Journal. Which was agreed to.

The Speaker announced the following Standing Committees :

On Military Affairs—Messrs. Gresham, Prosser, Jones of Tippecanoe, McClurg, Sherman, Edson, Haworth, Roberts and Burgess.

On Ways and Means—Messrs. Fisher, Crain, Gifford, Stotsenburg, Chapman, McLean and Bingham.

On all Committees on which Mr. Boydston, deceased, was a member at the late session, Mr. Chapman will take his place.

Other Committees will remain the same as at the late session.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. Bundy,

A petition from the President and Board of Trustees of the Indiana Hospital for the Insane, asking an appropriation for repairs.

Which,

On motion,

Was referred to the Committee on Ways and Means.

On motion by Mr. Orr,

Resolved, That the Committee on Military Affairs shall inquire into the expediency of enacting a law that light infantry and rifle companies shall consist of not less than eighty men, rank and file ; cavalry companies not less than sixty, and artillery one hundred men. Officers—Captain, 1st and 2d Lieutenant, four Sergeants, 1st, 2d, 3d and 4th, and three Corporals, 1st, 2d and 3d.

On motion by Mr. Gresham,

Resolved, That Mr. Heffren be added to the Committee on Military Affairs.

On motion by Mr. Stotsenburg,

Resolved, That the Committee on the Judiciary be instructed to report a bill to this House, providing for the relief of citizens of our State, either a temporary suspension of our Courts, the extension of the time upon execution, or such other mode of relief as may meet the present emergency.

REPORTS FROM STANDING COMMITTEES.

Mr. Veatch from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Committee on the Judiciary, to whom was referred House bill No. 3, have had the same under consideration, and direct me to report the same back with the following amendment, and when so amended we recommend its passage.

The report of the Committee was concurred in, the amendment adopted and House bill No. 3 was ordered to be engrossed.

Mr. Veatch moved that the bill be considered engrossed and read a third time now.

Which was agreed to.

House bill No. 3. A bill to authorize the Board of County Commissioners of each County, and the corporate authorities of each city and incorporated town within the State, and to make appropriations, and to borrow money for defence against invasion, insurrection, unlawful violence, and to authorize the levying of a tax for that purpose, and legalizing all appropriations heretofore made.

Was read a third time, and,

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bryan, Campbell, Cason, Chapman, Collins of Whitley, Collins of Adams, Combs, Coopridger, Crain, Dashiell, Dobbins, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Flemming, Ford, Fordyce, Frasier, Gifford, Goar, Gresham, Grover, Hall, Harvey, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Lods, Lane, Lee, Lightner, McClurg, McLean, Moody, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Owens, Packard, Parrett, Pitts, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull and Woods—85.

No one voting in the negative,
So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

The title of the bill was read and approved.

Mr. Veatch, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred the petition of citizens of Laporte County asking the enactment of a law authorizing the Board of Commissioners to make appropriations for the support of the families of volunteers, have had the same under consideration, and beg leave to report the following bill and recommend its passage :

By Mr. Veatch,

House bill No. 6. A bill authorizing the Boards of Commissioners in the several Counties to make appropriations for raising, drilling and equipping and furnishing companies of volunteers, and for the support of families of volunteers.

Was read a first time and passed to a second reading.

REPORTS FROM SELECT COMMITTEES.

Mr. Roberts, from a Select Committee, made the following report:

MR. SPEAKER :

The Select Committee, to whom was referred joint resolution No. 1, have had the same under consideration, and have instructed me to report the same back to the House, with the following amendment, and that when so amended recommend its adoption.

First. Strike out all after the word "Indiana," in the first resolution, and insert the following :

That to suppress such insurrections, to enforce the laws of the General Government and restore peace and good order to the country, the entire resources of the State are hereby tendered.

Second. In resolution 2, strike out the word "American" and insert "loyal."

Third. Add the following resolution after the second resolution :

Resolved, That in our neighbors of Kentucky and other States, whose loyalty to the Union has been and is unshaken, we have the utmost confidence, and assure them of our faith in their patriotism.

The report of the Committee was concurred in.

Mr. Crain, by unanimous consent, moved to amend the report by striking out the words "Border States" and inserting, "to the Governors of the several States,"

Which was agreed to.

Mr. Edson moved to consider joint resolution No. 1 as engrossed, and that it be read a third time now,

Which was agreed to.

Joint resolution No. 1. A joint resolution tendering the aid of the State to the General Government to suppress insurrection and rebellion,

Was read a third time, and,

The question being, shall the joint resolution pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brett, Brucker, Bryan, Bundy, Campbell, Cason, Chapman, Collins of Whitley, Collins of Adams, Combs, Coopridge, Crain, Dashiell, Dobbins, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Frasier, Gifford, Goar, Gresham, Grover, Hall, Harvey, Hayes, Hefren, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Lods, Lane, Lee, Lightner, McClurg, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Owens, Parrett, Pitts, Prow, Ragan, Randall, Robbins, Roberts, Sherman, Sloan, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull, Woods, and Mr. Speaker—84.

No one voting in the negative.

So the joint resolution passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Stotsenburg, from the Select Committee, made the following report:

MR. SPEAKER:

The Select Committee to whom was referred House bill No. 4, have had the said bill under consideration, and have directed me to report the following amendment:

E. S. H. J.—3.

Strike out the ninth and tenth lines of section one, and insert the following: "Recent or any subsequent requisition of the President of the United States,"

And when so amended recommend its passage.

The report was concurred in.

House bill No. 4. A bill making an appropriation to defray the expenses of preparing to respond to the call of the President of the United States for troops,

Was,

On motion by Mr. Parrott,
Referred to the Committee on Military Affairs.

On motion by Mr. Gresham,

The Military Committee obtained leave to retire and sit.

Mr. Heffren asked and obtained leave to introduce the following resolution:

Resolved, That it is the sense of this House that any bill passed for the organization and equipment of the militia of the State should make provision for one or more regiments of light horse or cavalry, and three or more companies of flying artillery.

Mr. Edson moved to amend by inserting, "said regiment to be raised in the counties bordering on the Ohio river."

Mr. Nebeker moved to lay the resolution and amendment on the table.

Mr. Heffren called for a division of the question.

The question being on the motion to lay the amendment on the table,

It was agreed to.

The question being on the motion to lay the resolution on the table,
It was not agreed to.

The question recurring on the adoption of the resolution,

Mr. Stotsenburg demanded the previous question, which was seconded by the House.

The resolution was adopted.

Mr. Moorman, from the select committee, made the following report:

MR. SPEAKER :

WHEREAS, It has pleased an allwise and overruling Providence to remove by death the Hon. Thomas G. Boydston, of Kosciusko county, a member of this body ; therefore,

Resolved, That in his death we have lost a tried and faithful member, and the country a good and true patriot.

Resolved, That we deeply sympathize with his afflicted and disconsolate family in their distress.

Resolved, That the foregoing resolutions be spread upon the journal, and that a copy of the same be transmitted by the Clerk to the bereaved family.

Resolved, That the dailies of the city be requested to insert the above resolutions.

JOHN M. MOORMAN, *Chairman*.

The report of the committee was concurred in, and the resolutions adopted.

HOUSE BILLS INTRODUCED.

By Mr. Williams,

House bill No. 7. A bill to authorize the formation of a military force on the border of the State.

Was read a first time.

Mr. Williams moved that the rules be suspended and the bill read a second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bryan, Bundy, Campbell, Cason, Chapman, Collins of Whitley, Collins of Adams, Combs, Coopridner, Crain, Dashiell, Dobbins, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Frasier, Gifford, Goar, Grover, Hall, Harvey, Hayes, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Wayne, Kendrick, Lods, Lane, Lee, Lightner, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Owens, Packard, Parrett, Pitts, Polk, Prow, Ragan, Randall, Robbins, Sloan, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thom-

as, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Wilson, Williams, Woodhull and Woods—81.

No one voting in the negative.

So the rules were suspended, and

House bill No. 7. A bill to authorize the formation of a military force on the border of the State,
Was read a second time by its title, and,

On motion by Mr. Williams,
Referred to the Committee on Military Affairs.

By Mr. Smith, of Bartholomew,

House bill No. 8. A bill making an appropriation for the purpose of procuring postage stamps for the use of the General Assembly,
Was read a first time.

Mr. Smith, of Bartholomew, moved that the rules be suspended and the bill read a second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Brett, Bryan, Bundy, Chapman, Collins of Whitley, Collins of Adams, Combs, Coopridger, Crain, Dashiel, Dobbins, Edson, Ferguson, Fisher, Fleming, Frasier, Gifford, Goar, Hayes, Hefiren, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Knowlton, Lods, Lee, Lightner, McLean, Mutz, Nebeker, Newman, Orr, Owens, Packard, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Randall, Robbins, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thompson, Turner, Veatch, Warrum, Wells, Williams and Woods—64.

Those who voted in the negative were,

Messrs. Black, Brucker, Campbell, Cason, Epperson, Erwin, Ford, Fordyce, Hall, Harvey, Lane, Moorman, Sloan, Thomas, Underwood and Woodhull—16.

So the rules were suspended and the bill read a second time by its title.

Mr. McLean offered the following amendment: "Insert \$200 in place of \$150."

Mr. Bundy offered the following: Amend by inserting in the proper place, "and elected officers of the Legislature."

Mr. Parrett moved to lay all the amendments on the table.
Which was agreed to.

Mr. Lane moved to lay the bill on the table.
Which was not agreed to.

The question being on the engrossment of the bill,

Mr. Stotsenburg moved the previous question.
Which was seconded by the House.

The bill was ordered to be engrossed.

Mr. Heffren moved to consider the bill engrossed, and read it a third time now.

Which was agreed to, and

House bill No. 8. A bill making an appropriation to procure postage stamps for the use of the General Assembly,
Was read a third time, and

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Black, Bryan, Bundy, Cameron, Collins of Whitley, Collins of Adams, Combs, Coopridger, Crain, Dashiell, Dobbins, Edson, Fisher, Fleming, Gifford, Goar, Gresham, Harvey, Hayes, Heffren, Holcomb, Hopkins, Horton, Howard, Hudson, Jones of Vermillion, Lods, Lightner, McClurg, McLean, Moss, Mutz, Nebeker, Newman, Owens, Packard, Parrett, Pitts, Polk, Prosser, Prow, Randall, Robbins, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thompson, Turner, Veatch, Warrum, Wells, Williams, Wilson and Woods—57.

Those who voted in the negative were,

Messrs. Black, Brucker, Campbell, Cason, Chapman, Epperson, Feagler, Ferguson, Ford, Fordyce, Frasier, Hall, Henricks, Hurd,

Jones of Tippecanoe, Jones of Wayne, Kendrick, Lane, Lee, Moorman, Sloan, Thomas, Underwood and Woodhull—24.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

The title was read and approved.

By Mr. Black,

House bill No. 9. A bill to provide for refunding saline funds to persons who have erroneously paid the same to the treasurer of such funds.

Was read a first time and passed to a second reading.

By Mr. Williams,

House bill No. 10. A bill to amend an act entitled "an act to amend the fifth section of an act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859, approved March 9, 1861.

Was read a first time and passed to a second reading.

Mr. Frasier moved to take up Senate messages.

Which was agreed to.

Message from the Senate by Mr. Brown, their Secretary:

Senate bill No. 6. A bill to authorize the Board of County Commissioners of the several counties in the State of Indiana, and the authorities of any incorporated city or town in said State to make appropriations in certain cases, and to legalize certain appropriations therein specified.

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has passed the following bill thereof, to-wit:

In which the concurrence of the House of Representatives is respectfully requested.

Senate Bill No. 6. A bill to authorize the Board of County Commissioners of the several counties in the State of Indiana, and the

authorities of any incorporated city or town in said State, to make appropriations in certain cases, and to legalize certain appropriations therein specified.

Was read a first time.

Mr. Crain moved to suspend the rules and read the bill a second time now by its title.

The ayes and noes being taken

Those who voted in the affirmative were,

Messrs. Anderson, Black, Brett, Brucker, Bryan, Bundy, Cameron, Campbell, Cason, Chapman, Collins of Whitley, Collins of Adams, Combs, Coopridger, Crain, Dashiel, Edson, Epperson, Feagler, Ferguson, Fisher, Fleming, Fordyce, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Lods, Lane, Lee, Lightner, McClurg, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Owens, Packard, Parrett, Pitts, Polk, Prow, Ragan, Randall, Robbins, Sloan, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull and Woods—81.

No one voting in the negative.

So the rules were suspended, and Senate Bill No. 6 read a second time by its title.

Mr. Bundy moved to refer the bill to the Committee on the Judiciary.

Which was agreed to.

On motion by Mr. Heffren,
The House adjourned till 2 o'clock P. M.

2 o'clock, P. M.

The House met.

Mr. Fisher in the chair.

Mr. Crain moved to take up House Bill No. 1.
Which was agreed to.

House Bill No. 1. A bill declaring and defining what shall be treason against the State of Indiana and providing the punishment therefor, declaring who are accessories to such crime and declaring the punishment therefor.

Was read a second time.

Mr. Holcomb moved to refer the bill to the Committee on the Judiciary.

Mr. Woodhull moved to amend by laying the bill on the table and ordering two hundred copies to be printed.

Which was accepted by the mover of the amendment.

The question being on the motion to lay on the table and print,

Mr. Stotsenburg moved the previous question.

Which was seconded by the House.

The motion did not prevail.

Mr. Heffren moved that House Bill No. 1 be referred to the Judiciary.

Which was agreed to.

Mr. Stotsenburg asked and obtained leave to introduce,

House Bill No. 11. A bill to provide compensation for Judges performing the official duties of other Judges.

Was read a first time and passed to a second reading.

On motion by Mr. Smith of Bartholomew,

Resolved, That the Auditor of State be requested to report to this House what appropriations, if any, are necessary to pay the several Judges of the State for holding special and adjourned terms of said Courts.

On motion by Mr. Horton,

Resolved, That those members who are opposed to making appropriations for the purchase of postage stamps, may be governed alone by their conscientious scruples in accepting them.

Mr. Edson offered the following resolution :

Resolved, That it be taken as the sense of this House, that no business be transacted during the present session of the Legislature except that for which it was especially convened and matters properly connected therewith, as stated in the Governor's message. X

Mr. Heffren offered the followed substitute for the resolution :

Strike out all after the word "resolved,"

That it is the sense of this House that no legislation be entered into except such as will be necessary to protect the persons and property of citizens of Indiana, her rights and her territory, and the support of the General Government in sustaining its authority, and such measures as will remedy mistakes in the enrollment of bills or acts of the last session of the General Assembly. X

On motion,

The resolution and substitute were referred to the Committee on the Judiciary.

On motion by Mr. Woodhull,

Resolved, That those members who have no conscientious scruples be permitted to receive all the postage stamps voted for by this House.

Mr. Heffren asked and obtained leave of absence till Monday.

On motion of Mr. Dobbins it was

Resolved, That the Committee on Military Affairs be instructed to inquire,

First. How many regiments may be deemed necessary for the protection of Indiana from invasion.

Second. The amount and kind of arms that may be necessary to equip said regiment.

Third. The probable cost that may be incurred in placing said regiments on a footing for any emergency, and that said Committee report by bill or otherwise.

On motion by Mr. Knowlton,

Resolved, That his Excellency the Governor be requested to inform this House whether it is advisable to raise and equip twelve regiments of troops for the protection of our State.

On motion by Mr. Packard,

The House adjourned till 9 o'clock to-morrow morning.

SATURDAY MORNING, 9 o'clock, }
April 27, 1861. }

The House met.

The Speaker being absent, Mr. Fisher, of Wabash, was called to the chair.

On motion,
The reading of the journal was dispensed with.

On motion by Mr. Orr,

Resolved, That the Committee on the Judiciary inquire into the expediency of setting forth clearly and explicitly what treason is against the State and against the General Government, and report to this House.

On motion by Mr. Veatch, it was

Resolved, That the House now proceed to hold a secret session, and that the doors be closed for that purpose.

The House then resolved itself into secret session, and the Door-keeper cleared the lobbies.

Mr. Thomas offered the following resolution :

Resolved, That the House reporters be requested to suppress all matter relative to the weakness and defenceless condition of the southern part of our State.

Mr. Davis moved a call of the House.
Which was ordered.

Before the call proceeded,

Leave of absence was granted to Messrs. Warrum and Erwin.

Message from the Senate, by Mr. Brown, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of the passage of the following concurrent resolution thereof:

Resolved, By the Senate, the House concurring therein, that the Adjutant General be instructed to receive and organize, under the law to be passed at the present session of the General Assembly, all the companies of the Indiana volunteers, not to exceed six regiments, who have reported themselves to said department, and who have not been received as part of the six regiments called for by the President of the United States, and that they be held ready for a further call of the General Government or direction from the present General Assembly, that the companies to be accepted by the Adjutant General shall date in this requisition in the order in which they were received by the dispatches of the Adjutant General, and after the companies that have already been accepted are enrolled as a part of the six regiments, and those already organized and accepted, if any additional companies are required they shall, as far as the same may be tendered, be accepted from those counties that have not heretofore furnished troops.

In which the concurrence of the House of Representatives is respectfully requested.

The Clerk then proceeded to call the roll.

The following members answered to their names:

Messrs. Anderson, Bingham, Black, Brett, Brucker, Bryan, Campbell, Cason, Collins of Adams, Combs, Coopridner, Crain, Dashiell, Davis, Epperson, Feagler, Ferguson, Fisher, Ford, Fordyce, Gifford, Hall, Harvey, Hayes, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Vermillion, Jones of Wayne,

Kendrick, Lods, Lane, Lee, Lightner, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Packard, Parrett, Pitts, Polk, Prow, Randall, Sloan, Smithof Bartholomew, Smith of Miami, Stevenson, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Wells, Williams, Wilson, Woodhull and Woods—68.

On motion,

Further proceedings under the call of the House were dispensed with.

An oath of secrecy was then administered to the reporters of the press by the Clerk.

Mr. Veatch moved that a select committee be appointed and instructed to draft and report a bill providing for the arming and defense of the Southern border of the State.

Which was agreed to.

The Speaker announced the Committee as follows:

Messrs. Veatch, Collins of Whitley, and Edson.

By unanimous consent,

Mr. Thomas withdrew his resolution.

At the suggestion of the Speaker, the Governor of the State and members of the Senate were admitted to the Hall during the secret session.

Mr. Ragan offered the following resolution:

Resolved, That the Governor be authorized to employ an agent, instantler, and send him East, or elsewhere, and procure at least 20,000 stand of first class arms for the defence of our own State.

By consent,

Mr. Ragan withdrew his resolution.

Mr. Lane introduced the following resolution:

Resolved, By the Senate and House of Representatives, that the Governor be requested to send one thousand stand of arms (temporarily) to the Counties of Clarke, Floyd, Crawford, Perry, Spencer, Warrick, Vanderburg and Posey.

On motion by Mr. Lane,
The resolution was informally passed to receive the report of the Special Committee.

Mr. Veatch, from the Special Committee to draft a bill for procuring arms, made the following report:

MR. SPEAKER:

Your Committee beg leave to report the following bill:
House bill No. 12.

The report was concurred in, and House bill No. 12 was read a first time.

Mr. McLean moved to suspend the rules and read the bill a second and third time now.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anderson, Bingham, Black, Brett, Brucker, Bryan, Chapman, Cameron, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Coopridger, Crain, Dashiell, Davis, Dobbins, Edson, Epperson, Feagler, Ferguson, Fisher, Flemming, Fordyce, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Vermillion, Jones of Wayne, Kendrick, Knowlton, Lods, Lane, Lee, Lightner, McClurg, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Owens, Packard, Parrett, Pitts, Prow, Ragan, Randall, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Wells, Williams, Wilson, Woodhull and Woods—80.

No one voting in the negative,

So the rules were suspended and House bill No. 12 read a second time.

Mr. Frasier offered the following amendment: Amend second section by striking out 500,000, and insert 600,000.

The question being on the adoption of the amendment,

Mr. Crain moved the previous question.
Which was seconded by the House.

The amendment was then adopted.

Mr. Veatch moved that the bill be considered as engrossed, and read a third time.

Which was agreed to.

House bill No. 12 was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Bingham, Black, Brett, Brucker, Bryan, Chapman, Cameron, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Coopridger, Crain, Dashiell, Davis, Dobbins, Edson, Epper-son, Feagler, Ferguson, Fisher, Flemming, Ford, Fordyce, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Vermillion, Jones of Wayne, Kendrick, Knowlton, Lods, Lane, Lee, Lightner, McClurg, McLane, Moody, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Owens, Packard, Parrett, Pitts, Polk, Prow, Ragan, Randall, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Wells, Williams, Wilson, Woodhull and Woods—83.

No one voting in the negative,

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Message from the Governor by Mr. Holloway, his Messenger:

MR. SPEAKER:

I am directed by the Governor to lay before your House the following message:

EXECUTIVE DEPARTMENT, }
April 27, 1861. }

To the House of Representatives:

I herewith transmit and lay before your honorable Body a report of the Directors of the Southern Penitentiary, to which your consideration is requested.

OLIVER P. MORTON, *Governor.*

OFFICE INDIANA STATE PRISON, }
JEFFERSONVILLE, April 24, 1861. }

TO HIS EXCELLENCY, O. P. MORTON,
Governor of the State of Indiana:

By act of Legislature of session 1857 the directors are required annually to report concerning the affairs of the State Prison to your Excellency. The present disturbed State of public affairs renders it essential that at this time we present to you a brief report with sundry recommendations which we ask may be laid before the General Assembly during its present session. We have now working under contracts about ninety convicts at a price of forty cents per day. At the late session of the Board we received proposals for the labor of one hundred convicts at forty cents per day, and with thirty convicts now contracted by Messrs. Smith and Smyser will make 130 out of 430 employed, if the persons proposing comply with their propositions, leaving about three hundred unemployed. Since we received these proposals war has commenced, and the parties desiring the labor have not fully determined whether they will proceed and execute contracts. Should they fail to execute contracts, the revenue of the prison under the present law will be entirely or nearly cut off. It will require about ten thousand dollars to pay the current expenses of the prison, from the present until January 1, 1862, for which an appropriation will be required. Under the present law the directors and warden have no authority to employ the convicts, excepts under the contract system. We know it will cost less to keep the convicts in the expense of guards, if the convicts are kept employed, and believing the manufactured articles will at all times pay the cost of material, at least, if no profit, we would suggest as would authorize the directors and warden to purchase material and tools, and keep the convicts employed. The product of their labor to be disposed of by the warden for and on account of the State.

To do this, an appropriation of about twenty thousand dollars, with which to purchase stock, tools, &c., for the successful operation of the prison, will be required. We would further suggest that material, tools and other articles required may be purchased on time, if the directors and warden, or either of them, authorized to issue promissory notes or bills of exchange in payment of the same; and would respectfully ask the Legislature to take steps that may accomplish this end. These notes might be made receivable to the State. Should the present trouble in our country soon cease there would be probably a revival of business that would relieve the prison from its present present pressing necessity, and in that event the appropriation need not be drawn from the State treasury.

We would therefore most earnestly urge the prompt passage by this Legislature of such laws as may be required to meet the exigencies of the case, and also suggest that in the event that the Northern

Prison can receive and employ an additional number of convicts, that such provision be made by law, by which the convicts may be removed thither.

Respectfully,

THOS. M. BROWN, }
JNO. W. RAY, } *Directors Ind. State Prison.*
G. F. COOKERLY, }

I fully concur and join in the above recommendation.

D. W. MILLER, *Warden.*

Mr. Edson offered the following as the title to House bill No. 12 :
Which was adopted.

“A bill to provide for the defence of the State of Indiana, to procure first class arms, artillery, cavalry and infantry equipments, and munitions of war, making the necessary appropriations therefor, and authorizing the Governor to borrow money.

Mr. Dobbins offered the following resolution :

Resolved, That in the judgement of the General Assembly it would be good policy for the State of Indiana to erect, in some portion of the State, an armory for the manufacture of arms.

On motion by Mr. Crain,
Referred to the Committee on Public Expenditures.

Mr. Cameron offered the following resolution :

Resolved, That the House of Representatives, the Senate concurring, request the Governor to immediately form one regiment, consisting of companies on the southern border of the State who have, or may offer their services as volunteers, and that he shall arm them with the arms now in possession of the State, and post the companies in such positions as shall defend the State from invasions from the South during the continuation of the war.

Which,

On motion by Mr. Nebeker,
Was referred to Committee on Military Affairs.

An oath of secresy was then administered to engrossing clerks as to matters discussed in secret session.

On motion by Mr. Veatch,
The doors were now opened.

Mr. Lane called up his joint resolution which had been informally passed.

On motion by Mr. Nebeker,
The resolution was referred to the Committee on Military Affairs.

Mr. McLean moved to take up Governor's Message.
Which was agreed to.

On motion,
The message was referred to the Committee on the Affairs of the States' Prison.

Mr. McLean moved the message from the Senate received to-day containing concurrent resolution.
Which was agreed to.

Mr. Ragan moved to concur in the concurrent resolution of the Senate.
Which was agreed to.

Mr. Newman moved to reconsider the vote by which the House concurred.
Which was agreed to.

Mr. Orr moved to refer the concurrent resolution to the Committee on Military Affairs.

The question being on the reference,

Mr. Packard moved the previous question.
Which was seconded by the House.

The resolution was then referred to the Committee on Military Affairs.

Mr. Cameron offered the following concurrent resolution :

Resolved, By the House of Representatives, the Senate concurring, that the directors of the Southern Prison, with the consent of the Governor, shall have power to remove the convicts in the Southern Prison to the Northern Prison, at any time when in their judgment

the Southern Prison is in danger of being thrown open by a mob or a force of armed men from any other State.

Which was referred to the Committee on the Affairs of the State's Prison.

The Speaker laid before the House the following communication from the State Librarian :

To the Speaker of the House of Representatives:

By a resolution of your body I am requested to furnish stationery for the use of members, and am directed to purchase the same from the Secretary of State. I desire to say that many articles called for cannot be procured from the Secretary of State, from the fact that such articles are not in his office, and I am directed by him to say that he has no means at his disposal with which to procure stationery, the Legislature having failed to make an appropriation for that purpose.

Respectfully,

R. D. BROWN, *Librarian.*

Which,

On motion by Mr. Crain,
Was referred to the Committee on Ways and Means.

Leave of absence was granted to Messrs. Williams and Prosser.

Mr. Davis moved that when the House adjourn it be to Monday next at 2 o'clock.

Which was agreed to.

Mr. Cameron moved to reconsider the vote just taken.

Which was agreed to.

The motion to adjourn till Monday was then lost.

Leave of absence was granted to Mr. Combs till Monday, and Mr. Black till Tuesday.

On motion by Mr. Davis,
The House adjourned till 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met.

Mr. Fisher in the Chair.

Mr. Jones of Vermillion, asked and obtained leave to introduce

House bill No. 13. A bill to authorize the Directors of the Indiana State Prison at Jeffersonville to purchase tools, stock and materials, and to employ the convicts for and on account of the State of Indiana, making appropriations therefor, and making appropriation for the current expenses of the year 1861, and declaring when the same shall take effect.

Was read a first time and passed to a second reading.

Message from the Senate, by Mr. Brown, their Secretary.

MR. SPEAKER :

I am instructed by the Senate to inform the House that the Senate has passed the following concurrent resolution of the House.

Resolved by the House of Representatives, the Senate concurring therein, That the Auditor of State be required to draw his warrant on the Treasurer of State for the per diem and mileage of members and officers of the General Assembly, upon the certificate of the presiding officers of each house, and that provision be made in the appropriation bills for the repayment of the same.

Mr. Black moved to take up

House bill No 9. A bill to provide for refunding Saline funds to persons who have erroneously paid the same to the treasurer of such funds,

Was read a second time, and,

On motion by Mr. Black,

Was referred to the committee on County and Township Business.

Mr. Veatch asked and obtained leave to introduce

House bill No. 14. A bill supplemental to an act entitled "an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties and matters properly connected therewith, and for the establishment and regulation of town-

ship libraries, and to repeal all laws inconsistent therewith, approved March 11, 1861,

Was read a first time, and passed to a second reading.

Mr. Nebeker moved to take up bills on their second reading,
Which was agreed to.

House bill No. 2. A bill to amend an act entitled an act providing for the election and prescribing certain duties of the Clerk of the Supreme Court, approved May 13, 1852,

Was read a second time, and,

On motion by Mr. Nebeker,

Was referred to the Committee on the Organization of Courts.

House bill No. 6. A bill authorizing the Board of Commissioners of the several counties of the State of Indiana to make appropriations for raising, equipping and furnishing companies of volunteers, and for the support of the families of volunteers,

Was read a second time, and,

On motion by Mr. Orr,

Was referred to the Committee on County and Township Business.

House bill No. 10. A bill to amend section five of an act fixing the times of holding the Common Pleas Courts in the several counties of this State, &c.,

Was read a first time and referred to the Committee on the Organization of Courts.

House bill No. 11. An act to provide compensation for Judges performing the official duties of other Judges,

Was read a second time, and referred to a Select Committee of five.

The Speaker announced the Committee as follows:

Messrs. Smith of Bartholomew, Frasier, Crain, Edson and Woodhull.

On motion by Mr. Davis,

Resolved, That the Committee on the State Prison inquire into the expediency of making arrangement for the manufacturing of fire arms for the State of Indiana by the unemployed convicts in the State Prison, and report by bill or otherwise.

Mr. Robbins offered the following joint resolution:

WHEREAS, Our beloved country, with all its grandeur, its greatness, power and respect amongst the nations of the civilized world, with all its political and religious liberty and freedom, with all its cherished free institutions, are all this day threatened and shaken to their foundations by civil discord, strife, hatred, yea, and even actual war amongst the people of the different sections of our once united, happy, prosperous and peaceful nation.

WHEREAS, We believe we express the earnest wish, sincere desire, and the real sentiments of a very large majority of the good, loyal and Union loving citizens of Indiana, in saying we believe it to be our duty as the representatives of the people of a great, loyal, conservative and peace loving State of this Union, a State that greatly deprecates civil war, and its ten thousand concomitant evils, to continue to make still further efforts consistent with justice and honor to ourselves, with patriotism and fidelity towards the Federal Government, and with proper christian and fraternal forbearance towards the other States of the General Government, to peaceably and amicably adjust the threatening difficulties which overhang and environ our beloved though distracted country, which at this moment threaten its very existence: Therefore,

Be it resolved by the General Assembly of the State of Indiana, That we do most heartily coincide with and approve the recommendation of the Governor of our sister State of Kentucky, in the wish expressed by him to the Governor of the State of Ohio, that the Governors of all the border States, both free and slave, should assemble in convention as soon as practicable for the purpose of acting in the capacity of conciliators and pacificators of the difficulties which exist amongst the various sections of our common country, which so terribly threaten our peace, our safety; yea, and even our very existence as a nation.

Mr. Frasier moved to refer the joint resolution to the Select Committee of one from each Congressional District, raised by the House heretofore.

Mr. Cameron moved the previous question,
Which was seconded by the House.

The motion to refer then prevailed.

Message from the Senate by Mr. Brown, its Secretary:

MR. SPEAKER:

I am instructed by the Senate to inform the House that the Senate has passed the following concurrent resolution, namely:

Resolved by the Senate, the House of Representatives concurring,

That the Government of the United States be, and is hereby requested to furnish the State of Indiana with twenty thousand stand of first-class arms immediately, and that the Governor is hereby directed to communicate this request to the proper authorities at Washington by telegraph, and when the answer is received, to communicate the same to the Legislature.

In which the concurrence of the House is respectfully requested.

Mr. Kendrick offered the following resolution :

Resolved, That the resolution now pending, nor any remarks in reference to it, be reported.

Which was decided out of order.

Mr. Veatch moved to take up the Senate message just received. Which was agreed to.

Mr. Veatch moved that the House concur with the Senate, and adopt the joint resolution.

Which was not agreed to.

On motion by Mr. Veatch,
The resolution was laid on the table.

Mr. Cameron offered the following concurrent resolution :

Resolved, by the House of Representatives, the Senate concurring, That the Governor be authorized to appoint a Chaplain to each regiment called into the service of the Government or State, who shall receive the rank and pay of captain.

Which was adopted.

Ordered, That the Clerk inform the Senate thereof.

Mr. Jones of Vermillion moved that House bill No. 13 be taken up, the rules suspended, and read a second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Chapman, Cason, Edson, Grover, Haworth, Howard, Jones of Wayne, Packard, Robbins and Sloan—10.

Those who voted in the negative were,

Messrs. Anderson, Brett, Black, Brucker, Bryan, Cameron, Camp-

bell, Collins of Adams, Coopridier, Dashiel, Davis, Epperson, Feagler, Ferguson, Fisher, Flemming, Ford, Fordyce, Frasier, Gifford, Goar, Hall, Harvey, Hayes, Holcomb, Hopkins, Hudson, Hurd, Kendrick, Lods, Lane, Lee, Lightner, McClurg, Moorman, Moss, Nebeker, Owens, Polk, Randall, Smith of Bartholomew, Stevenson, Trier, Thomas, Thompson, Turner, Underwood, Warrum, Wilson and Woodruff—50.

No quorum voting.

On motion by Mr. Ferguson,
The House adjourned till Monday next, at 9 o'clock, A. M.

MONDAY, 9 o'clock, A. M., }
April 29, 1861. }

House met.

The Journal of Saturday was read and approved.

On motion by Mr. Gresham,
Mr. Jones of Vermillion was placed on the Committee on Military Affairs, instead of Mr. Burgess, excused on account of illness.

Messrs. Roberts and Jenkinson obtained leave of absence.

PETITIONS, MEMORIALS, REMONSTRANCES AND RESOLUTIONS.

By Mr. Veatch,

A petition from sundry citizens of the State asking relief for debtors from sales on execution.

Was read, and referred to the Committee on the Judiciary.

Mr. Thomas offered the following concurrent resolution :

Resolved by the House, the Senate concurring, That the Doorkeeper be requested to lay upon the desk of each member of the General Assembly, the remaining copies of the Swamp Land Report, as reported by the Joint Committee, adopted by the General Assembly, 1859.

Which was adopted.

Ordered, That the Clerk inform the Senate thereof.

Mr. Turner offered the following resolution:

Resolved, That the Committee on Education be instructed to report such amendments to the School Law passed at the last session of the General Assembly, so as to correct such errors as were made by the Enrolling Clerks.

Which was adopted.

On motion by Mr. Holcomb,

Resolved, That the Committee on the Judiciary be requested to inquire into the expediency of reporting a bill as early as practicable, providing for the relief of volunteers, in accordance with the petition of the citizens of Gibson County, or as nearly so as said Committee may think constitutional and proper.

Mr. Packard offered the following resolution:

Resolved, That the Doorkeeper contract with the proprietors for six hundred copies of Drapier's Brevier Legislative Reports, embracing the proceedings and debates of the present session of the General Assembly, for the use of members of the House of Representatives, to be paper covered, and delivered to the Secretary of State, and by him to be sent by mail—six copies to each member—as soon as possible after the adjournment of the session. *Provided*, Said Reports shall not cost more than one-third of one cent a page per copy.

The question being on the adoption of the resolution, Mr. Fisher moved the previous question.

Which was seconded by the House.

The resolution was then adopted.

Mr. Packard offered the following concurrent resolution:

WHEREAS, It is understood that the General Government is now in possession of a large amount of arms and accoutrements necessary for the equipment of cavalry regiments; Therefore,

Be it resolved by the House of Representatives, the Senate concurring, That the Governor be instructed to request the General Government to furnish to the State of Indiana eight hundred breech-loading bayonet carbines, and the pistols, sabres, saddles and bridles,

tents, and all the equipage necessary for the equipment of eight hundred cavalry.

Which was adopted.

Ordered, That the Clerk inform the Senate thereof.

Mr. Newman offered the following resolution :

Resolved, That the Committee on the Judiciary be instructed to inquire into the propriety of enacting a law to prohibit the sale of produce, or other articles of trade, to States, or the citizens of States, that have not, or will not respond to the President's call to furnish men to maintain the authority of the Government, and report by bill or otherwise.

Mr. Allen moved that the further consideration of the resolution be postponed until 2 o'clock.

Which was agreed to.

Mr. Frasier, from the Committee on County and Township Business, asked and obtained leave to make the following report :

MR. SPEAKER :

The Committee on County and Township Business, to whom was referred House bill No. 6, have had the same under consideration, and have directed me to report the same back to the House with the accompanying amendments, and when so amended recommend its passage :

Amend section two—after the word “make,” in the third line add the word “such.”

Insert after the word “counties,” in line six, the words “as they may deem necessary. Also,

Add to said section the following words, viz : “or of the State of Indiana while actually engaged in such service.”

House bill No. 6. A bill authorizing the Board of Commissioners of the several counties of the State of Indiana, to make appropriations for raising, equipping and furnishing companies of volunteers, and for the support of the families of volunteers.

Was read a second time.

The report of the committee was concurred in, and House bill No. 6 was ordered to be engrossed.

Mr. Allen moved that the further consideration of the bill be made the special order for to-day at 3 o'clock, P. M.

Mr. Holcomb presented a petition from sundry citizens of Gibson county, asking the enactment of a law empowering Boards of County Commissioners to make appropriations for maintaining and provisioning troops awaiting the requisition of the Government.

On motion by Mr. Holcomb,
The petition was laid on the table.

Mr. Moss asked and obtained leave to introduce

House bill No. 15. A bill to amend the 420th section of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity. Approved June 18, 1852.

Which was read a first time and passed to a second reading.

Mr. Owens asked and obtained leave to introduce,

House bill No. 16. A bill to prevent white persons who have intermarried with negroes, mulattoes, or persons of color from testifying in cases where any other white person of the State of Indiana is a party.

Which was read a first time and passed to a second reading.

Mr. Veatch introduced,

House bill No. 17. A bill to authorize the Governor of the State of Indiana to borrow in the name and for the use of said State, a sum of money not exceeding one million of dollars, to be appropriated to the payment of the expenses of enrolling or organizing armies, equipping and maintaining in the service of the State or of the United States a certain portion of the militia, and to authorize the issuing of coupon bonds, for the payment of principal and interest of the money so borrowed, and requiring taxes to be levied and collected for the payment of the principal and interest of said bonds.

Which was read a first time and passed to a second reading.

The Speaker laid before the House the following communication from the Secretary of State :

OFFICE OF SECRETARY OF STATE, }
Indianapolis, April 27, 1861. }

Hon. C. M. Allen, Speaker of House of Representatives :

DEAR SIR:—In compliance with the 14th section of the 5th article

of our State Constitution, I herewith lay before your honorable body House bill No. 159, of your last session, with the objections of his Excellency, the Governor, which bill and objections were filed in my office on the 11th day of March, 1861, after your session had expired.

Most obediently,
WM. A. PEELLE, *Secretary of State.*

To the House of Representatives:

I herewith return to the House, without my approval, House bill No. 159.

It is an act "declaring it to be a misdemeanor to leave open gates, or let down fences, or destroy cattle guards along the line of railroads, and providing a penalty therefore."

It provides that every person who shall willfully or maliciously leave open any gate, or let down any fence or bars, or destroy any cattle guards along the lines of any railroads, may be fined in any sum not exceeding \$1,000, and imprisoned in county jail for a period not exceeding six months.

Imprisonment for some period is a necessary part of the penalty, and is to be inflicted for willfully leaving open a gate, or letting down a fence or bars, whether they be left open or not. It is not necessary that it should have been maliciously done, or that any damage should have resulted from it, or that the gate, fence or bars, should be the property of another person, though, perhaps, that might be implied.

It is quite clear that under this act a disgraceful punishment may be inflicted, for in itself perfectly innocent, or at least so slightly criminal, as not to merit incarceration in the county jail.

Believing the act to have been passed without due consideration, it is herewith returned for your further deliberation and action.

OLIVER P. MORTON, *Governor.*

The communication and accompanying documents were ordered to be spread on the journal.

Mr. Goar introduced,

House Bill No. 18. A bill to amend the 14th section of an act entitled an act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith, approved March 5, 1859.

Which was read a first time, and passed to a second reading.

Mr. Black introduced,

House Bill No. 19. A bill to amend section 1 of an act entitled "an act authorizing County Recorders and County Surveyors to issue fee bills," approved March 5, 1855.

Which was read a first time and passed to a second reading.

On motion,

The House adjourned till 2 o'clock P. M.

2 O'CLOCK, P. M.

The House met.

The hour having arrived for the consideration of the special order set for 2 o'clock P. M.

Mr. Gresham moved to informally pass the special order.
Which was agreed to.

Mr. Henricks asked and obtained leave to introduce,

House Bill No. 20. A bill to repeal an act entitled an act to authorize the construction of levees and drains.

Which was read a first time and passed to a second reading.

Mr. Gresham, from the Committee on Military Affairs, asked and obtained leave to introduce,

House Bill No. 21. A bill for the organization and regulation of the Indiana Militia, prescribing penalties for violations of said regulations, and repealing all laws heretofore enacted on that subject.

Mr. Gresham moved to suspend the rules, and that House Bill No. 21 be read a first and second time by its title.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brett, Brucker, Bryan, Bundy, Campbell, Cason, Chapman, Collins of Adams, Combs, Crain, Dashiell, Davis, Dobbins, Edson, Epperson, Feagler, Fisher, Fleming, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Harvey, Haworth, Hayes, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Lods, Lane, Lee, Lightner, McClurg, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Owens, Packard, Parrett, Pitts, Polk, Prow, Ragan, Randall, Robbins, Sloan, Sherman, Smith of Bartholomew, Stevenson, Trier, Thomas, Turner, Underwood, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—75.

No one voting in the negative.

So the rules were suspended, and House Bill No. 21 was read a first time by its title.

Mr. Gresham moved that House Bill No. 21 be read a second time now by its title.

Which was not agreed to, and

House Bill No. 21 was read a second time by its title.

Mr. Gresham moved that the bill be laid on the table, and three hundred copies be printed and laid on the desks of members.

Message from the Senate, by Mr. Brown, their Secretary.

MR. SPEAKER:

I am instructed by the Senate to inform the House of Representatives, that the Senate has passed House bill No. 12, entitled:

“A bill to provide for the defense of the State of Indiana, to procure first class arms, artillery, cavalry and infantry equipments and munitions of war, making the necessary appropriations therefor, and authorizing the Governor to borrow money.”

With the following engrossed amendments of the Senate:

Engrossed amendments of the Senate to House Bill No. 12.

Amend by inserting after the word “men,” in second line on the second page, these words, “including such as are now on hand fit for service, and such as he may be able to procure from the General Government.” Also,

Amend, by striking out the word "six," where it occurs in the second section, and inserting in lieu thereof the word "five."

In which the concurrence of the House is respectfully requested.

Mr. Crain moved to take up the message of the Senate now.
Which was agreed to.

Mr. Crain moved that the House do concur in the engrossed amendments of the Senate to House Bill No. 12.

Which was agreed to, and the amendments adopted.

Ordered, That the Clerk inform the Senate thereof.

Mr. Fisher asked and obtained leave to introduce

House bill No. 22. A bill to authorize the Governor to issue bonds, to appoint a Board of Loan Commissioners, and defining the duties requiring the Sinking Fund Commissioners to purchase bonds, defining their duties in relation to the interest received on the same, and levying a tax to meet the payment of the interest and principal of the bonds to be sold.

Which was read a first time.

Mr. Edson moved that the rules be suspended and the bill read a second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brett, Bryan, Bundy, Cameron, Campbell, Cason, Chapman, Collins of Whitley, Collins of Adams, Combs, Coopridger, Crain, Dashiell, Davis, Dobbins, Edson, Epperson, Feagler, Fisher, Fleming, Fordyce, Fraley Frasier, Gifford, Goar, Gresham, Harvey, Hayes, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Knowlton, Lods, Lane, Lee, Lightner, McClurg, McLean, Moorman, Mutz, Nebeker, Newman, Orr, Owens, Packard, Parrett, Pitts, Polk, Prow, Ragan, Randall, Robbins, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Trier, Thomas, Thompson, Turner, Underwood, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—79.

No one voting in the negative.

So the rules were suspended, and House bill No. 22 was read a second time by its title.

Mr. Fisher moved that the bill be referred to the Committee of Ways and Means.

Which was agreed to.

Mr. Dobbins moved to take up House bill No. 17, and that the rules be suspended and the bill read a second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Brett, Brucker, Bryan, Bundy, Cameron, Campbell, Cason, Chapman, Collins of Whitley, Collins of Adams, Combs, Coopridge, Crain, Dashiell, Davis, Dobbins, Edson, Epperson, Feagler, Fisher, Fleming, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Hayes, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Knowlton, Lods, Lane, Lee, Lightner, McClurg, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Owens, Packard, Parrett, Pitts, Polk, Prow, Ragan, Randall, Robins, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—83.

No one voting in the negative.

So the rules were suspended, and

House bill No. 17. A bill authorizing the Governor of the State of Indiana to borrow, in the name and for the use of said State, a sum of money not exceeding one million of dollars, to be appropriated to the payment of the expenses of enrolling, organizing, arming, equipping and maintaining in the service of the State, or of the United States, a certain portion of the Militia, and to authorize the issuing of coupon bonds for the payment of the principal and interest of the money so borrowed, and requiring taxes to be levied and collected for the payment of the principal and interest of said bonds.

Was read a second time by its title.

Mr. Dobbins moved to refer the bill to the Committee of Ways and Means.

Which was agreed to.

Mr. Bundy asked and obtained leave to introduce the following resolution :

Resolved, That his Excellency the Governor, be and he is hereby requested to communicate to this House an estimate of the probable expenses necessary to raise, arm, equip and support six regiments of infantry, for one year, including also the pay and rations of officers and men, and that he likewise be requested to communicate whether or not any contract for supplying the troops now in Camp Morton has been made, and if so what price is to be paid for the support of each volunteer per day.

Which was adopted.

Mr. Fisher called up Mr. Newman's resolution, which was the special order for 2 o'clock, and had been informally passed.

Mr. Gresham moved to lay the resolution on the table.

Which was agreed to.

Mr. Fisher moved a reconsideration of the vote by which House bill No. 6 was made the special order for three o'clock.

Which was agreed to.

House bill No. 6. A bill to authorize the Board of Commissioners of the several counties of the State of Indiana to make appropriations for raising, equipping and furnishing companies of volunteers, and for the support of the families of volunteers, and legalizing appropriations heretofore made.

Was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brett, Brucker, Bundy, Cameron, Campbell, Cason, Chapman, Collins of Whitley, Coopridger, Crain, Dashiell, Davis, Dobbins, Edson, Epperson, Feagler, Fisher, Flemming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Grover, Hall, Harvey, Hayes, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Kendrick, Knowlton, Lods, Lane, Lee, Lightner, McClurg, McLean, Moorman, Mutz, Nebeker, Newman, Orr, Parrett, Pitts, Prow, Ragan, Randall, Robbins, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Trier, Thomas, Thompson, Turner, Underwood, Warrum, Wells, Wilson, Woodhull, Woods and Mr. Speaker
—77.

Those who voted in the negative were,

Messrs. Collins of Adams, Combs and Polk—3.

So the bill passed.

Ordered, That the Clerk inform the Senate.

By consent,

Mr. Frasier offered the following resolution :

Resolved, That the Judiciary Committee be instructed to inquire what if any legislation is necessary to prevent the exportation from this State of provisions and military stores to any other State or States in rebellion against the government of the United States, or to such States as will allow such provisions or stores to be transported through their territories to the public enemies, and report to this House by bill or otherwise.

The question being on the adoption of the resolution,

Mr. Grover moved the previous question,
Which was seconded by the House.

The resolution was then adopted.

On motion,
The House adjourned till to-morrow morning at 9 o'clock.

TUESDAY MORNING, 9 o'clock, }
April 30, 1861. }

The House met.

On motion,
The reading of the journal was dispensed with.

Mr. Black offered the following resolution :
E. S. H. J.—5.

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of reporting a bill making silver coin a legal tender in this State.

Mr. Davis moved to lay the resolution on the table.
Which was agreed to.

Mr. Polk offered the following resolutions:

Resolved, That to send heavy artillery and troops, and to erect fortifications to Jeffersonville, or to any other point on the Ohio river, would be an act of defiance, and an insult to the loyalty and patriotism of Kentucky.

Resolved, That such a course must offend the honor and dignity of a State, and must, as a necessary consequence, make her our enemy.

Resolved, That we, the Representatives of the people of Indiana, will protest against such a move, so long as our brethren of Kentucky are at peace with us.

Mr. Crain moved to lay the resolution on the table.
Which was agreed to.

Mr. Hayes offered the following resolution:

Resolved, That this House, with the concurrence of the Senate, fix on the sixth day of May as the day of final adjournment, unless an earlier day shall have been fixed upon.

Mr. Crain moved to lay the resolution on the table.
Which was agreed to.

Mr. McLean offered the following concurrent resolution:

Resolved, That the House of Representatives, the Senate concurring therein, will adjourn on Friday the 3d of May, to re-assemble on Tuesday the 21st of May.

Mr. Holcomb offered the following amendment:

Amend by adding that the members shall not receive any per diem or pay during the adjournment.

Mr. Knowlton offered the following amendment to the amendment:

Amend by limiting the speeches of members to two hours each.

Mr. Stotsenburg moved to lay the resolution and pending amendments on the table.

Which was not agreed to.

Mr. Cason demanded the previous question.

Which was seconded by the House.

The question being on the amendment to the amendment.

It was not adopted.

The question being on the amendment of Mr. Holcomb.

It was adopted.

The question then recurring on the resolution.

It was adopted.

Ordered, That the Clerk inform the Senate thereof.

REPORTS FROM STANDING COMMITTEES.

Mr. McLean, from the Committee of Ways and Means, made the following report :

MR. SPEAKER :

The Committee of Ways and Means, to whom was referred the petition of the President and Trustees of the Indiana Hospital for the Insane, have had said petition under consideration and directed me to report it back and recommend its reference to the Committee on Benevolent Institutions.

Which was concurred in, and the petition referred to the Committee on Benevolent Institutions.

Mr. Frasier, from the Committee on County and Township business, made the following report :

MR. SPEAKER :

The Committee on County and Township business, to whom was referred House Bill No. 9, have had the same under consideration, and have directed me to report the same back to the House and recommend its passage.

Which,

On motion by Mr. Gresham,
Was laid on the table.

Message from the Senate by Mr. Brown, their Secretary :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following bill, viz :

Senate Bill No. 1. An act to provide for the employment of Six Regiments of Volunteers for the protection of the property and citizens of the State, making provision for the organization and equipment of the same, and fixing the compensation of the officers and men composing said force, and for procuring arms therefor.

In which the concurrence of the House is respectfully requested.

Mr. Gresham moved to take up the message of the Senate now. Which was agreed to.

Senate Bill No. 1 was read a first time.

Mr. Gresham moved to suspend the rules and read the bill a second time now by its title.

The ayes and noes being taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bryan, Burgess, Campbell, Cason, Chapman, Collins of Whitley, Collins of Adams, Combs, Cooprider, Crain, Dashiell, Davis, Dobbins, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Grover, Hall, Harvey, Haworth, Hayes, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jones of Vermillion, Jones of Wayne, Kendrick, Knowlton, Lods, Lane, Lee, Lightner, McClurg, McLean, Moorman, Mutz, Nebeker, Newman, Orr, Owens, Packard, Parrett, Pitts, Polk, Prow, Ragan, Randall, Robbins, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull and Woods—84.

No one voting in the negative.

So the rules were suspended, and Senate bill No. 1 was read a second time by its title, and,

On motion by Mr. Holcomb,
Referred to the Committee on Military Affairs.

The following amendments to the bill were offered, and, by consent, referred with the bill to the Committee on Military Affairs.

By Mr. Knowlton,

Amend by inserting after the words "voluntary militia," "who shall be enlisted for and during the war."

By Mr. Dobbins,

Amend by adding in the proper place, "provided that each company shall elect their officers; provided, further, that said companies shall be retained in the several counties in which they were organized, until otherwise ordered, by the proper officer."

By Mr. Stevenson,

Insert in the proper place, "shall receive no pay while so retained from actual service."

By Mr. Knowlton,

Amend by inserting after the word "cavalry," "to be enlisted for and during the war, to be selected from those cavalry companies which have tendered their services for the war."

By Mr. Henricks,

Amend by inserting in the proper place, "and to organize and equip a complete corps of sappers and miners, not to exceed one battalion."

By Mr. McLean,

Amend by providing that no more than one regiment shall be stationed at the same point in the State, unless in actual service.

By Mr. Grover,

Amend the bill by providing for at least one company of artillery for each regiment of infantry.

By Mr. Dobbins,

Amend by providing that due regard shall be had to the companies organized in the counties along the Ohio river, giving to such companies a preference.

By Mr. Holcomb,

Amend by providing that counties that have not furnished volunteers and desire to do so, shall have the preference over counties now having companies in service."

By Mr. Woods,

Amend by adding that companies offered from those counties from which no companies have been mustered into service, shall have the preference of call in making up the six regiments.

Mr. Edson obtained leave of absence.

Mr. Stotsenburg asked and obtained leave to introduce,

House bill No. 23. An act to amend section 412 of an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852; so as to extend the times for the return of executions, and the times for advertisement upon them.

Which was read a first time and passed to a second reading.

Message from the Senate by Mr. Brown, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has adopted the following Senate bill, to-wit:

Senate bill No. 12. A bill to legalize the act of the Auditor of State in depositing certain bonds of the State in the branch at Indianapolis of the Bank of the State of Indiana, as security for twenty-five thousand dollars borrowed by the Governor, Secretary, Auditor and Treasurer of State, and to assume and provide for the payment of said sum of money by the State.

In which the concurrence of the House is respectfully requested.

Mr. Crain moved to take up the message of the Senate,
Which was agreed to.

Senate bill No. 12 was read a first time.

Mr. Newman moved to suspend the rules and read the bill a second time now by its title.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Bryan, Burgess, Campbell, Cason, Chapman, Collins of Whitley, Collins of Adams, Combs, Coopridger, Crain, Dashiell, Davis, Dobbins, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Goar, Gresham, Grover, Hall, Harvey, Hayes, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Owens, Packard, Parrett, Pitts, Polk, Prow, Randall, Robbins, Sloan, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull and Woods—78.

No one voting in the negative,

So the rules were suspended, and Senate bill No. 12 read a second time by its title.

. Mr. Dobbins moved to refer the bill to the Committee on the Judiciary,

Which was agreed to.

On motion by Gresham,

Messrs. Brett and Bingham were placed on the Committee on Military Affairs, instead of Messrs. Prosser and Jones of Tippecanoe.

Message from the Senate by Mr. Brown, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives of the passage of the joint resolution, (House Resolution No. 2,) entitled:

Joint resolution to send arms to the counties of Clark, Floyd, Harrison, Crawford, Perry, Spencer, Warrick, Vanderburgh and Posey:

With the following amendments of the Senate:

Senate amendments to the joint resolution, (House resolution No. 2.):

Strike out the words "one thousand," and insert "five thousand."
Insert after the word "counties" the words "Dearborn, Ohio, Switzerland and Jefferson."

Add after the word "Posey" the following :

Said arms to be sent and distributed in accordance with an act entitled "An act to organize the militia, providing for the appointment, and prescribing the duties of certain officers thereof." Approved June 14, 1852.

In which the concurrence of the House of Representatives is respectfully requested.

Mr. Lane moved that the House do concur in the amendments of the Senate to the joint resolution of the House.

Which was agreed to.

Ordered, That the Clerk inform the Senate thereof.

Mr. Veatch asked and obtained leave to introduce

House bill No. 24. A bill to amend an act entitled "an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith," approved March 11, 1861.

Mr. Thomas moved to suspend the rules and read the bill a second time now by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anderson, Black, Brucker, Campbell, Cason, Chapman, Collins of Whitley, Collins of Adams, Combs, Coopridner, Crain, Dashiell, Davis, Dobbins, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Hall, Harvey, Hayes, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jones of Wayne, Kitchen, Knowlton, Lods; Lane, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Owens, Packard, Parrett, Pitts, Polk, Prow, Ragan, Randall, Robbins, Sloan, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Wilson and Woodhull—72.

No one voting in the negative.

So the rules were suspended and House bill No. 24 was read a second time by its title, and

On motion by Mr. Frasier,
Referred to the Committee on the Judiciary.

The following amendments were offered to the bill, and,
By consent,
Referred with the bill to the Committee on the Judiciary :

Amend by striking out “\$800 00 for Superintendent’s Clerk,” and insert “\$365 00.”

Amend so that it shall not be obligatory for the State Superintendent to visit each county.

And that five thousand copies of the School Law be printed in pamphlet form, and distributed with the laws of this session among the several counties in proportion to the population.

Mr. Frasier asked and obtained leave to introduce

House bill No. 25. A bill supplemental to an act entitled “an act defining felonies, and prescribing a punishment therefor,” approved June 10, 1852.

Which was read a first time.

Mr. Frasier moved to suspend the rules and read the bill a second time now by its title.

The ayes and noes being taken, under the Constitution.

Those who voted in the affirmative were,

Messrs. Atkinson, Black, Brucker, Bryan, Campbell, Cason, Chapman, Collins of Whitley, Collins of Adams, Combs, Coopriders, Crain, Dashiell, Davis, Dobbins, Epperson, Erwin, Feagler, Ferguson, Fisher, Flemming, Fordyce, Fraley, Frasier, Gifford, Goar, Grover, Harvey, Hayes, Henricks, Holcomb, Hopkins, Horton, Howard, Jones of Wayne, Kendrick, Kitchen, Lods, Lane, Lee, Lightner, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Owens, Parrett, Pitts, Polk, Prow, Ragan, Randall, Robbins, Sloan, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Wilson and Woodhull—71.

Mr. Packard present, but not voting.

No one voting in the negative.

So the rules were suspended and House bill No. 25 read a second time by its title.

Mr. Smith of Bartholomew moved that the bill be referred to the Committee on the Judiciary.

Which was agreed to.

HOUSE BILLS ON SECOND READING.

House Bill No. 20. A bill to repeal an act entitled "an act to authorize the construction of Levees and Drains," approved June 12, 1852.

Was read a second time.

Mr. Davis moved that the bill be referred to the Committee on Education.

Mr. Crain moved to lay the bill on the table.

Which was not agreed to.

House Bill No. 20 was then referred to the Committee on the Judiciary.

House Bill No. 13. A bill to authorize the directors of the Indiana State Prison, at Jeffersonville, to purchase tools, stock and materials, and to employ the convicts for and on account of the State of Indiana, making appropriations therefor, and making appropriation for the current expenses of the year 1861, and declaring when the same shall take effect.

Was read a second time, and,

On motion by Mr. Smith of Bartholomew,

Was referred to the Committee on the Judiciary.

House Bill No. 14. A bill supplemental to an act entitled "an act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties and matters properly connected therewith, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith," approved March 11th, 1861.

Was read a second time.

Mr. Crain moved to lay on the table.

Which was not agreed to.

The bill was then referred to the Committee on Education.

House Bill No. 15. A bill to amend the four hundred and twentieth section of an act entitled "an act to revise, simplify and abridge the rules, practice and pleadings and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleadings and practice, without distinction between law and equity," approved June 18, 1852.

Was read a second time.

Mr. Crain moved to lay the bill on the table.

Messrs. Stotsenburg and Moss demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Cason, Chapman, Combs, Crain, Feagler, Fordyce, Frasier, Henricks, Horton, Hudson, Hurd, Lee, McClurg, Mutz, Newman, Orr, Packard, Robbins, Smith of Miami, Thompson, Turner, Underwood, Warrum and Woods—24.

Those who voted in the negative were,

Messrs. Anderson, Atkinson, Black, Brett, Bryan, Campbell, Collins of Whitley, Collins of Adams, Coopridier, Dashiel, Davis, Dobbins, Epperson, Erwin, Ferguson, Fisher, Fleming, Ford, Fraley, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Hopkins, Howard, Jones of Vermillion, Jones of Wayne, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, Moorman, Moss, Nebeker, Owens, Parrett, Pitts, Polk, Prow, Ragan, Randall, Sloan, Sherman, Smith of Bartholomew, Stevenson, Stotsenburg, Trier, Thomas, Wilson and Woodhull—56.

So the bill did not lie on the table.

On motion by Mr. Stotsenburg,
The bill was referred to the Committee on the Judiciary.

Mr. Gresham moved a suspension of the order of business to make a report from the Military Committee.

Which was agreed to.

Mr. Gresham, from the Committee on Military Affairs, made the following report:

MR. SPEAKER:

The Military Committee, to whom was referred House bill No. 4: An act making an appropriation to defray the expense of preparing

to respond to the call of the President of the United States for troops, have had the same under consideration, and have instructed me to report the same back to the House, and recommend its passage.

Which was concurred in.

Mr. Gresham moved that House bill No. 4 be considered as engrossed, and read a third time now.

Which was agreed to.

House bill No. 4. A bill making an appropriation to defray the expense of preparing to respond to the call of the President of the United States for troops.

Was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bingham, Brett, Bryan, Campbell, Cason, Chapman, Collins of Whitley, Coopridner, Dashiell, Davis, Epperson, Erwin, Feagler, Ferguson, Fisher, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Heffren, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jones of Vermillion, Jones of Wayne, Lods, Lee, Lightner, McClurg, Moorman, Mutz, Nebeker, Newman, Orr, Parrett, Pitts, Prow, Ragan, Randall, Sloan, Sherman, Smith of Miami, Stevenson, Stotsenburg, Thomas, Thompson, Turner, Underwood, Warrum, Wilson, Woodhull and Woods.—63.

Those who voted in the negative were,

Messrs. Black, Collins of Adams, Combs, Dobbins, Fleming, Horton, Kitchen, Knowlton, Moss, Packard, Polk, Robbins, Smith of Bartholomew and Trier—13.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

The title of House bill No. 4 was read and approved.

On motion,
The House adjourned till 2 o'clock P. M.

2 O'CLOCK P. M.

The House met.

BILLS ON SECOND READING.

House bill No. 16. A bill to prevent white persons who have intermarried with negroes, mulattoes, or persons of color from testifying in cases where any other white persons or the State of Indiana is a party.

Was read the second time and referred to the Committee on Rights and Privileges.

House bill No. 18. A bill to amend the 14th section of an act entitled "an act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859.

Was read a second time, and

On motion by Mr. Newman,

Referred to the Committee on the Organization of Courts.

House bill No. 19. A bill to amend section one of an act entitled "an act authorizing county recorders and county surveyors to issue fee bills," approved March 5, 1855.

Was read a second time.

Mr. Black moved to lay the bill on the table.

Which was agreed to.

Mr. Knowlton asked and obtained leave to introduce

House bill No. 26. A bill making appropriations for the expenses of the present special session of the General Assembly.

Was read a first time.

Mr. Knowlton moved that the rules be suspended and the bill read a second time by its title now.

The ayes and noes were taken under the constitution.

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Bryan, Campbell, Chapman, Collins of Whitley, Collins of Adams, Combs, Crain, Dashiel, Davis, Dobbins, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Frasier, Gifford, Goar, Hall, Haworth, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Packard, Parrett, Polk, Prow, Ragan, Randall, Robbins, Sloan, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Underwood, Warrum, Williams, Wilson, Woodhull and Woods—64.

No one voting in the negative.

So the rule was suspended and House bill No. 26 read a second time by its title.

Mr. Collins of Adams moved that the bill be referred to the Committee on Public Expenditures.

Which was not agreed to.

Mr. Frasier moved that House bill No. 26 be engrossed and made the special order for 3½ o'clock P. M.

Mr. Robbins moved to amend by considering the bill engrossed, and that it be read a third time now.

Mr. Packard moved the previous question,
Which was seconded by the House.

The question being on the adoption of Mr. Robbins' amendment,
It was adopted.

House bill No. 26. A bill making appropriations for the present special session of the General Assembly.

Was read a third time, and

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Black, Bryan, Campbell, Cason, Chapman, Collins of Whitley, Collins of Adams, Combs, Coopridge, Crain, Dashiel, Davis, Dobbins, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Hall, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jones of Wayne, Ken-

drick, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, McLean, Moor-
man, Moss, Mutz, Nebeker, Newman, Orr, Packard, Parrett, Polk,
Prow, Ragan, Randall, Robbins, Smith of Bartholomew, Smith of
Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Under-
wood, Warrum, Williams, Wilson, Woodhull and Woods—68.

No one voting in the negative.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

The title of the bill was read and approved.

Message from the Senate, by Mr. Brown, their Secretary :

MR. SPEAKER :

I am instructed by the Senate to inform the House of Representa-
tives that the Senate has passed the following joint resolution :

Senate joint resolution No. 3. A joint resolution in relation to
certain constitutional obligations which rest upon the Government of
the United States, and on the several State governments of the
Union.

In which the concurrence of the House is respectfully requested.

Mr. Dobbins moved to take up the message of the Senate now.
Which was agreed to.

The question being on the adoption of the Senate joint resolution
No. 3,

Those who voted in the affirmative were,

Messrs. Atkinson, Black, Bryan, Campbell, Cason, Chapman, Col-
lins of Whitley, Collins of Adams, Combs, Cooprider, Dashiell, Davis,
Dobbins, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford,
Fordyce, Gifford, Goar, Hall, Harvey, Henricks, Holcomb, Hopkins,
Howard, Hudson, Hurd, Jones of Wayne, Kitchen, Knowlton, Lods,
Lane, Lee, Lightner, McLean, Moss, Mutz, Nebeker, Owens, Pack-
ard, Parrett, Pitts, Prow, Ragan, Robbins, Sloan, Smith of Barthol-
omew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas-
Thompson, Turner, Warrum, Wells, Wilson, Woodhull and Woods
—63.

Those who voted in the negative were,

Messrs. Frasier and Underwood—2.

Present and refusing to vote, Messrs. Kendrick and Moorman—2.

So the joint resolution passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Henricks asked and obtained leave to introduce the following resolution :

Resolved, That the Commissary General be requested to report to this House what it costs per day for rations for each soldier now in Camp, and whether they are supplied or furnished by contractors, and if so with whom are contracts made, and the price paid each contractor, and if not supplied by contractors in what way they are supplied and what price is paid for each principal article of supply, and inquire and report how many troops are now being kept at the expense of the State.

The resolution was adopted.

On motion,
The House adjourned till to-morrow morning at 9 o'clock.

WEDNESDAY MORNING, 9 o'clock, }
May 1st, 1861. }

The House met.

On motion,
The reading of the journal was dispensed with.

PETITIONS, MEMORIALS, REMONSTRANCES AND RESOLUTIONS.

Message from the Senate, by Mr. Brown, their Secretary :

MR. SPEAKER:

I am instructed to inform the House that the Senate has passed the following concurrent resolution of the House:

Resolved by the House of Representatives, the Senate concurring,
That the Doorkeeper be requested to lay upon the desk of each member of the General Assembly, the remaining copies of the Swamp Land Reports, as reported by the Joint Committee of the two Houses adopted by the General Assembly of 1859.

By Mr. Woodhull,

A petition from sundry citizens of the State, asking the enactment of a law authorizing boards of county commissioners to make appropriations to equip companies of volunteers.

Which,

On motion,

Was laid on the table.

REPORTS FROM COMMITTEES.

Mr. Kendrick, from the Committee on Benevolent Institutions, made the following report:

MR. SPEAKER:

Your committee, to whom was referred the communication from the trustees on benevolent institutions, have had the same under consideration, and recommend that the following appropriations be made:

For roofing.....	\$400 00
For bedding.....	300 00
For coal.....	2000 00
Total.....	<hr/> \$2,700 00

And that the same be provided for by this General Assembly in the general appropriation bill.

The communication of the Trustees was recommitted to the Committee on Benevolent Institutions, with directions to report a bill to the House.

HOUSE BILLS INTRODUCED.

By Mr. Williams.

House bill No. 27. A bill providing for relief by valuation and appraisement upon execution upon judgments on all contracts hereafter made,

Which was read a first time, and passed to a second reading.

By Mr. Stotsenburg.

House bill No. 28. A bill providing for the redemption of real property sold upon execution within this State,

Which was read a first time, and passed to a second reading.

Mr. Lane moved a reconsideration of the vote whereby the House passed Senate joint resolution No. 3 on yesterday.

Message from the Senate, by Mr. Brown, their Secretary.

MR. SPEAKER:

I am instructed by the Senate to inform the House of Representatives that the Senate has passed the following bill of the House, to-wit:

House bill No. 26. A bill appropriating fifteen thousand dollars for the expenses of the present special session of the General Assembly.

The question being on the motion of Mr. Lane to reconsider the vote of the House adopting Senate joint resolution No. 3,

Mr. Holcomb moved the previous question.

Which was seconded by the House.

Messrs. Lane and Roberts demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Anderson, Brucker, Bryan, Bundy, Campbell, Cason, Chapman, Collins of Whitley, Crain, Dashiel, Epperson, Erwin, Feagler, Ferguson, Fisher, Fordyce, Frasier, Goar, Hall, Harvey, Haworth, Heffren, Henricks, Hudson, Hurd, Jones of Vermillion, Jones of Wayne, Kendrick, Lane, Lee, Lightner, Moorman, Nebeker, Newman, Orr, Randall, Roberts, Sherman, Smith of Miami, Stevenson, Thomas, Thompson, Turner, Underwood, Wells, Williams, Wilson, Woodhull, Woods, and Mr. Speaker.—51.

Those who voted in the negative were,

Messrs. Atkinson, Black, Brett, Collins of Adams, Combs, Coop-
rider, Davis, Dobbins, Fleming, Ford, Gifford, Hayes, Holcomb, Hop-
kins, Horton, Howard, Jenkinson, Kitchen, Knowlton, Lods, McClurg,
McLean, Moss, Mutz, Owens, Packard, Parrett, Prow, Robbins, Stot-
senburg, Trier, and Warrum—32.

So the motion to reconsider, prevailed.

Mr. McLean moved to refer the joint resolution to a select com-
mittee of five.

Mr. Orr moved to amend by referring the resolution to the Com-
mittee on Federal Relations.

Which was not agreed to.

The resolution was then referred to a select committee of five.

The Speaker announced the select committee as follows :

Messrs. McLean, Crain, Heffren, Newman, Bundy.

Mr. McLean, from the Committee of Ways and Means, asked and
obtained leave to make the following report :

MR. SPEAKER:

The Committee on Ways and Means, to whom was referred House
Bill No. 32, entitled "a bill to authorize the Governor to issue Bonds,
to appoint a Board of Loan Commissioners and defining their duties,
requiring the Sinking Fund Commissioners to purchase bonds, defin-
ing their duties in relation to the interest received on the same, and
levying a tax to meet the payment of the interest and principal of
the bonds to be sold," have had the same under consideration and
have directed me to report the same back to the House, with the fol-
lowing amendments, and when so amended to recommend its passage.

Amend the first section by filling the blank, so as to authorize the
Governor to issue two million dollars of bonds.

Amend same section by inserting after the word "bonds," the fol-
lowing: "of which said issue of two million the sum of two hundred
thousand dollars shall be in bonds of the denomination of five hun-
dred dollars each, and the residue of the said issue of two million
dollars shall be in bonds of the denomination of one thousand dollars
each.

Amend section second by inserting the name of John H. Boyle i
the place of the name of Allen Hamilton.

Amend section fifth by filling the blank with the word "five."

Amend the form of the bond in the first section of the bill, by filling the blank as follows: "an issue of two millions of dollars of bonds issued by the State of Indiana in denominations of five hundred dollars and one thousand dollars each.

The report of the committee was concurred in, the amendment adopted, and House Bill No. 22 ordered to be engrossed.

Mr. Fisher asked and obtained leave to introduce,

House Bill No. 29. A bill to amend the ninth section of an act entitled an act to amend an act to authorize and regulate the business of General Banking, passed March 3, 1855.

Was read a first time.

Mr. Fisher moved to suspend the rules and read Bill No. 29 a second time by its title now.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Bryan, Bundy, Campbell, Cason, Chapman, Collins of Whitley, Collins of Adams, Coopridner, Crain, Dashiel, Davis, Dobbins, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fraley, Frasier, Gifford, Goar, Hall, Harvey, Haworth, Hayes, Henricks, Holcomb, Hopkins, Horton, Howard, Hurd, Jenkinson, Jones of Wayne, Lods, Lane, Lee, Lightner, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Owens, Packard, Parrett, Pitts, Polk, Prow, Ragan, Randall, Robbins, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Warrum, Wilson, Woodhull, Woods and Mr. Speaker—74.

Mr. Combs voting in the negative.

So the rules were suspended and House Bill No. 29 read a second time by its title.

On motion by Mr. Fisher,

House Bill No. 29 and amendments were referred to the Committee on Banks.

Mr. Black offered the following amendment, which was referred with the bill to the Committee on Banks:

Provided, That the bills thus protested may at any time before the sale of such bonds, be redeemed by the Bank.

Mr. Holcomb asked and obtained leave to introduce the following resolution:

Resolved, That a committee of three be appointed to investigate the reports of Volunteer Companies to the Adjutant General's office, and report to this House at an early day the order in which such reports were made.

Which was adopted.

The Speaker announced the committee as follows, to-wit:

Messrs. Holcomb, Hopkins and Chapman.

On motion,

The House adjourned till 2 o'clock P. M.

2 o'clock, P. M.

The House met.

Mr. Fisher, from the Committee on Banks, asked and obtained leave to make the following report:

MR. SPEAKER:

The Committee on Banks, to whom was referred House bill No. 29, a bill to amend the ninth section of an act entitled "an act to amend an act to authorize and regulate the business of General Banking," passed March 3d, 1855, have had said bill under consideration, and directed me to report the same back with the following amendments, and when so amended recommend its passage:

Strike out of section nine all after the words "Auditor shall," in the twenty-fourth line, to and including the words "as aforesaid,"

in the twenty-seventh line, and insert in lieu thereof the following: "Whenever in the opinion of the Governor, Treasurer and Secretary of State, or a majority of them, it shall be deemed advisable, having regard to the condition of the stock market, and certainly within one year from the date of such protest."

Also, further amend section nine by striking out all after the word "thereof," on line 54, all of the lines 55, 56 and 57, and the words, "of said protest," in line 58.

On motion,

The report of the Committee was concurred in, the amendments adopted, and House bill No. 29 ordered to be engrossed for a third reading.

Mr. Veatch, from the Committee on the Judiciary, asked and obtained leave to make the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No. 6, to authorize the Board of Commissioners, &c., to make appropriations in certain cases, would report that they have had the same under consideration, and would report the same back to this House, and recommend its passage.

The report was concurred in and Senate bill No. 6 ordered to be placed on the files.

Mr. Veatch, from the Judiciary Committee, by consent, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No. 12, to legalize the act of the Auditor of State, &c., have had the same under consideration, and beg leave to report the same back to the House, and recommend its passage.

The report was concurred in, and

Senate bill No. 12. A bill to legalize the act of the Auditor of State in depositing certain bonds of the State in the Branch at Indianapolis of the Bank of the State of Indiana, as security for twenty-five thousand dollars borrowed by the Governor, Secretary,

Auditor and Treasurer of State, and to assume and provide for the payment of said sum of money by the State.

Was read a third time.

Mr. Fisher offered the following amendment,
Which was adopted by unanimous consent :

Amend by adding, after the word "Indiana," in the ninth line of second page, the following: "Out of the contingent fund of the Governor, appropriated by the General Assembly for the purpose of defraying the expenses of responding to the proclamation of the President of the United States for troops."

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Brucker, Bryan, Bundy, Campbell, Cason, Chapman, Collins of Whitley, Combs, Coopridier, Crain, Dashiell, Davis, Erwin, Feagler, Ferguson, Fisher, Ford, Frasier, Gifford, Goar, Hall, Harvey, Hayes, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jenkinson, Jones of Wayne, Kendrick, Knowlton, Lods, Lane, Lee, Lightner, McLean, Moorman, Mutz, Nebeker, Newman, Orr, Packard, Parrett, Pitts, Polk, Prow, Ragan, Randall, Roberts, Sloan, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Wells, Wilson, Woodhull Woods and Mr. Speaker—69.

No one voting in the negative.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Message from the Senate by Mr. Brown, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate has passed the following concurrent resolution thereof :

Resolved, That the House of Representatives, the Senate concurring, will adjourn on Friday, the third day of May, to re-assemble on Tuesday, 21st day of May, and that the members shall not receive any per diem or pay during the adjournment, with the following amendments :

Strike out "Tuesday, 21st," and insert "Thursday, 16th."

Add to the resolution "but shall be entitled to mileage."

In which the concurrence of the House of Representatives is respectfully requested.

Mr. Bundy moved to suspend the order of business, and take up the message of the Senate.

Which was agreed to.

Mr. Bundy moved that the House do concur in the amendments of the Senate to the concurrent resolution of the House.

Mr. Fisher demanded a division of the question.

Mr. Allen moved to lay the message of the Senate on the table. Which was agreed to.

Mr. Veatch, from the Committee on the Judiciary, asked and obtained leave to make the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred resolution No. 4, introduced by Mr. Holcomb, and divers petitions upon the subject of exempting the property of volunteers from sale on execution, would beg leave to report that they have had the subject under consideration, and are of opinion that there is no power to grant the relief asked for in said petitions and resolution, except by passing a general law for the stay of execution which shall operate upon all citizens alike. They therefore submit the subject to the consideration of the House.

On motion by Mr. Fisher,
The report of the Committee and petitions were laid on the table.

Mr. Smith of Bartholomew moved a reconsideration of the vote whereby the message of the Senate was laid on the table.

Which was agreed to.

The question then recurred upon the motion to lay the message on the table.

Which was agreed to.

Mr. Heffren, from the Committee on Military Affairs, asked and obtained leave to make the following report :

MR. SPEAKER:

The Committee on Military Affairs, to whom was referred Senate bill No. 10, have had the same under consideration, and have directed me to report the same back with the following amendments, and when so amended recommend its passage.

Section 1, page 3, strike out "twelve months," and insert "three years."

Amend section 1, line 6, by striking out "six" and insert "seven."

Page 3, section 1: next to last line by striking out the words "the said," and after "regiments" insert "of which."

Page 4: after "demand," line 3, insert "the Seventh Regiment to be cavalry, and to be organized as hereinafter provided."

Section 2: after "regiment" insert "except the cavalry."

Section 2, page 5: strike out "one lieutenant, one ensign," and insert "two lieutenants." Strike out "six," last line on same page, and insert "seven."

Change section "6" to "7," and amend title by striking out "six" and inserting "seven."

Amend by inserting at the proper place, in the first section:

Provided, That in the formation and organization of said regiments, preference be given to such companies as may be organized in counties in which no companies have been accepted and mustered into the service of the United States, under the proclamation of the Government heretofore made.

Strike out all after "contemplated" in section 3.

Section 4: insert before "regulations," "rules and," and before "army," "United States."

Strike out of same section the words "three quarters of."

Strike out "six" before "regiments," in section 5, and insert "seven," and strike out "public" in the same section; and add the following section:

SECTION 7. One of which regiments shall be a cavalry regiment, consisting of ten companies of fifty-nine men each, rank and file. The cavalry shall not be mounted unless called into the service of the General Government, unless an emergency arises in which the same may be necessary, in which case the Governor shall be authorized to cause the same to be fully equipped. The cavalry shall be enlisted for and during the war, unless sooner discharged, and shall be selected from those cavalry companies which have been tendered as such for the war, in the order in which their services have been offered.

Mr. Cason moved that Senate bill No. 1 be laid on the table, and 200 copies be printed for the use of members.

Mr. Kendrick asked and obtained leave to introduce

House bill No. 30. A bill making appropriations for Hospital for the Insane.

Which was read a first time, and passed to a second reading.

Mr. Gresham moved to take up

House bill No. 21. An act for the organization and regulation of the Indiana militia, prescribing penalties for violations of said regulations, and repealing all laws heretofore enacted on that subject.

Which was agreed to.

Mr. Parrett moved that the bill be read by sections,
Which was agreed to.

On motion,
The House adjourned till 9 o'clock to-morrow morning.

THURSDAY MORNING, 9 o'clock, }
May 2, 1861. }

The House met.

On motion,
The reading of the Journal was dispensed with.

Mr. Gresham moved to pass informally the special order for nine o'clock, and proceed with the consideration of House bill No. 21,
Which was agreed to.

Message from the Governor, by Mr. Holloway, his Secretary:

MR. SPEAKER:

I am directed by the Governor to inform the House that he has approved and signed

House bill No. 26, an act appropriated fifteen thousand dollars for the expenses of the present special session of the Legislature.

Also,

House bill No. 12. An act to provide for the defense of the State of Indiana, to procure first class arms, artillery, cavalry and infantry equipments and munitions of war, making the necessary appropriations therefor, and authorizing the Governor to borrow money,

And has caused the same to be filed in the office of the Secretary of State.

Mr. Jenkinson, offered the following amendment to House bill No. 21.

Amend the tenth section by striking out the words, "Governor shall appoint," and inserting, "the men of the battalion shall elect."

Mr. Packard offered the following amendment to the amendment:

Amend so that the captains of the companies composing the battalions shall elect the majors.

Mr. Stotsenburg moved the previous question, which was seconded by the House.

The question being on the amendment to the amendment,
It was not adopted.

The question recurring on Mr. Jenkinson's amendment, Messrs. Jenkinson and Polk demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Black, Brett, Collins of Whitley, Collins of Adams, Combs, Coopriders, Davis, Dobbins, Edson, Erwin, Fleming, Ford, Gifford, Hayes, Heffren, Holcomb, Hopkins, Horton, Howard, Hudson, Jenkinson, Kitchen, Knowlton, Lods, Lane, Lightner, McClurg, Moss, Mutz, Owens. Packard, Parrett, Pitts, Polk, Prow, Ragan, Robbins, Roberts, Sloan, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thompson, Warrum and Wells—48.

Those who voted in the negative were,

Messrs. Anderson, Brucker, Bundy, Campbell, Cason, Chapman, Crain, Dashiell, Epperson, Feagler, Ferguson, Fisher, Fordyce, Fralley, Frasier, Goar, Gresham, Hall, Harvey, Haworth, Henricks, Jones of Vermillion, Jones of Wayne, Kendrick, McLean, Moorman, Nebeker, Newman, Orr, Randall, Sherman, Thomas, Turner, Underwood, Veatch, Wilson, Woodhull, Woods and Mr. Speaker—39.

So the amendment was adopted.

Mr. Knowlton offered the following amendment :

At the end of the first line in section ten, strike out "battalion"
and insert "regiment,"
Which was adopted.

Mr. Fisher offered the following:

Amend by striking out of the bill all that relates to the appointment of colonels, lieutenant colonels and majors by the Governor, and provide for the election by the commissioned officers of the regiment.

Mr. Crain demanded the previous question,
Which was seconded by the House.

The amendment was lost.

Mr. Robbins moved to amend section eleven, as follows :

By striking out the words "appointed by the Governor," and insert in lieu thereof the words "elected by the men composing each regiment, excepting the staff officers.

Mr. Smith of Bartholomew moved to lay the amendment on the table.

Messrs. Packard and Horton demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Anderson, Bingham, Brucker, Bundy, Cameron, Campbell, Cason, Chapman, Collins of Whitley, Crain, Dashiell, Davis, Epperson, Erwin, Feagler, Ferguson, Fisher, Fordyce, Fraley, Frasier, Goar, Gresham, Hall, Harvey, Haworth, Heffren, Henricks, Hopkins, Hudson, Hurd, Jones of Vermillion, Jones of Wayne, Kendrick, Lane, Lee, Lightner, McClurg, McLean, Moorman, Nebeker, Newman, Orr, Parrett, Ragan, Randall, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Thomas, Thompson, Turner, Underwood, Veatch, Wells, Wilson, Woodhull, Woods and Mr. Speaker—59.

Those who voted in the negative were,

Messrs. Atkinson, Black, Brett, Collins of Adams, Combs, Coopri-
der, Dobbins, Edson, Fleming, Ford, Gifford, Holcomb, Horton, How-

ard, Jenkinson, Kitchen, Knowlton, Lods, Moss, Mutz, Owens, Packard, Pitts, Polk, Prow, Robbins, Stevenson, Trier and Warrum—29.

So the amendment lay on the table.

Mr. Heffren offered the following amendment :

And after the word "regiment" add, "such officers to be selected from the regiment, and commissioned for four years."

Mr. Brett offered the following amendment to the amendment :

Amend section 11 to read as follows: "A Colonel and Lieutenant-Colonel shall be elected by the captains of each regiment, who shall be commissioned by the Governor, and shall serve for the term of five years."

Mr. McLean moved to lay the amendment to the amendment, on the table.

Which was agreed to.

The question recurring on Mr. Heffren's amendment,
It was agreed to.

Mr. Atkinson obtained leave of absence until to-morrow.

Mr. Smith, of Bartholomew, offered the following amendment :

Amend by inserting wherever it reads in the bill, "and I do further swear," so as to read that "I do swear or affirm under the pains and penalties of perjury."

Which was adopted.

Mr. McLean moved that all in the bill requiring minors to give bond, be stricken out.

Which was agreed to.

Mr. Ford moved to reconsider the vote whereby Mr. Fisher's amendment was lost.

Mr. Nebeker moved to lay the motion to reconsider, on the table.
Which was agreed to.

Mr. Knowlton offered the following amendment :

"SEC. --. No commissioned officers appointed or elected under the provisions of this act, shall hold their offices for a longer period than four years."

Which was adopted.

Mr. Nebeker moved to recommit the bill, with instructions to the Committee on Military Affairs to conform the bill to the amendments adopted by the House.

Mr. Thomas moved the following amendment to Mr. Nebeker's motion :

Resolved, That bill No. 21 be referred to a committee of eight, five on the part of the House, and three on the part of the Senate, and when by them perfected, be passed by this House without the crossing of a T, or the dotting of an I.

Mr. Nebeker then withdrew his motion to recommit.

Mr. Heffren offered the following amendment to section thirty :

Provided, That in the distribution of arms for the organization of said companies of cavalry, preferences shall be given to companies organized in counties of the first, second, third and fourth congressional districts.

Mr. Robbins moved to lay the amendment on the table,
Which was not agreed to.

The question being on the adoption of the amendment,

Mr. Stotsenburg moved the previous question,
Which was seconded by the House.

The amendment of Mr. Heffren was then adopted.

On motion,
The House adjourned till 2 o'clock P. M.

2 O'CLOCK P. M.

House met.

Mr. Fisher moved to suspend the order of business and take up House bill No. 22.

Which was agreed to.

House bill No. 22. A bill to authorize the Governor to issue bonds, to appoint a board of Loan Commissioners, and defining their duties; requiring the Sinking Fund Commissioners to purchase bonds, defining their duties in relation to the interest received on the same, and levying a tax to meet the payment of the interest and principal of the bonds to be sold.

Was read a third time, and

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Bingham, Black, Brett, Brucker, Bundy, Chapman, Campbell, Cason, Collins of Whitley, Combs, Coopriders, Crain, Dashiell, Dobbins, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Hopkins, Howard, Hudson, Hurd, Jenkinson, Jones of Vermillion, Jones of Wayne, Kendrick, Lods, Lee, Lightner, McClurg, McLean, Moorman, Mutz, Nebeker, Newman, Orr, Packard, Parrett, Pitts, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—81.

No one voting in the negative.

Present and refusing to vote:

Messrs. Collins of Adams, Knowlton and Moss—3.

Mr. Stotsenburg offered the following amendment to the first section:

Strike out the words about sustaining the government of the United States and insert the following: "Of repelling invasion and providing for the public defence."

Which was adopted by unanimous consent.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

The title of House bill No. 22 was read and approved.

The Speaker laid before the House the following communication from the Auditor, Secretary and Treasurer of State:

HON. CYRUS M. ALLEN,

Speaker of the House:

DEAR SIR:—Through you we submit to the honorable body over which you preside the fact that in consequence of a failure in the last General Assembly to make any appropriations for some purposes required by law, such as binding the laws, journals, &c., and in other cases the sums appropriated being entirely insufficient, in view of the alarming state of the country, the administration of the fiscal affairs of the State is much embarrassed. We therefore urge the passage of a bill making such necessary appropriation or conferring the power of determining the legality of claims against the State upon the State officers, or some persons whom you may select.

Such legislation is indispensable to the working of the civil machinery of the Government for the next two years.

A. LANGE, Auditor of State.

W. A. PEELLE, Secretary of State.

J. S. HARVEY, Treasury of State.

Which was referred to the Committee of Ways and Means.

Mr. Heffren offered the following amendment:

Add after "subordinates," "which subordinates shall select the members of their own staff."

Which was adopted.

Mr. Jenkinson moved to strike out all of section 50,

Which was not agreed to.

Mr. Heffren offered the following amendment:

Add to section 76, "and a copy of the finding of such Court, certified by the presiding officer, shall be *prima facie* evidence of the facts therein contained.

Which was adopted.

Mr. Edson offered the following amendment:

Sec. 90 should be amended so as to have distributed to companies copies of this act.

Which was adopted.

Mr. Coopridier offered the following amendment:

Amend by inserting "five" in the place of "eight," in the third line of section 96.

Mr. Heffren offered the following amendment to the amendment:

Amend by striking out "five" and inserting "twelve," and add six hundred for clerk hire.

The question being on the adoption of the amendment to the amendment,

Mr. Stotsenburg moved the previous question.

Which was seconded by the House.

Mr. Jenkinson demanded a division of the question.

The question being on the part of the amendment giving six hundred dollars clerk hire,

Messrs. Smith of Bartholomew and Moss demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bingham, Black, Brucker, Cason, Erwin, Fordyce, Frasier, Heffren, Hopkins, Jenkinson, Jones of Vermillion, Lane, Woodhull and Mr. Speaker—14.

Those who voted in the negative were,

Messrs. Anderson, Brett, Bundy, Chapman, Collins of Adams, Combs, Coopridger, Dashiell, Dobbins, Edson, Epperson, Feagler, Ferguson, Fisher, Flemming, Ford, Fraley, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Henricks, Holcomb, Horton, Howard, Hudson, Hurd, Jones of Wayne, Kendrick, Knowlton, Lods, Lee, Lightner, McClurg, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Packard, Parrett, Pitts, Polk, Prow, Ragan, Randall, Robbins, Roberts, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Warum, Wells, Wilson and Woods—67.

So the amendment to the amendment as divided did not prevail.

The question being on the other branch of the amendment to the amendment,

Messrs. Allen and Black demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Anderson, Cason, Erwin, Fisher, Fordyce, Goar, Harvey, Heffren, Henricks, Hopkins, Hudson, Jones of Vermillion, Lane, Lee, Orr, Ragan, Sherman, Thompson, Turner, Veatch and Mr. Speaker—21.

E. S. H. J.—7.

Those who voted in the negative were,

Messrs. Black, Brett, Bundy, Chapman, Campbell, Collins of Adams, Combs, Coopridner, Dashiell, Dobbins, Edson, Epperson, Feagler, Ferguson, Ford, Fleming, Fraley, Frasier, Gifford, Gresham, Hall, Haworth, Hayes, Holcomb, Horton, Howard, Hurd, Jenkinson, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, McClurg, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Packard, Parrett, Pitts, Polk, Prow, Randall, Robbins, Roberts, Sloan, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Underwood, Warrum, Wells, Wilson, Woodhull and Woods—61.

So the amendment to the amendment was not adopted.

The question recurring on the amendment of Mr. Coopridner,

Messrs. Jenkinson and Packard demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Collins of Adams, Coopridner, Heffren, Horton, Jenkinson, Lods, Packard, Polk, Prow and Roberts—10.

Those who voted in the negative were,

Messrs. Anderson, Bingham, Black, Brett, Brucker, Bundy, Chapman, Campbell, Cason, Collins of Whitley, Combs, Crain, Dashiell, Dobbins, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lane, Lee, Lightner, McClurg, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Parrett, Pitts, Ragan, Randall, Robbins, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Wilson, Woodhull, Woods and Mr. Speaker—78.

So the amendment was not adopted.

Mr. Gresham offered the following amendment:

Amend by inserting at the proper place, "and that each of said officers be allowed the sum of three hundred dollars for clerk hire.

Mr. Smith of Bartholomew moved to amend the amendment by substitution \$200 for \$300 for clerk hire.

Which was accepted by Mr. Gresham.

Mr. Ragan moved to strike out \$800 and insert \$1,000.

Mr. McLean moved to lay all the amendments on the table.
Which was agreed to.

Mr. McLean moved to adopt the section as it is.
Which was agreed to.

Mr. Heffren moved to strike out section 98 of the bill.
Which was agreed to.

Mr. Bundy moved to strike out section 99.
Which was not agreed to.

Mr. Knowlton offered the following amendment to Sec. 100:

Provided, That nothing in this act shall affect or remove any person from office who now holds a commission from the Governor of the State for any militia office, who shall, within thirty days after the passage of this act, signify his willingness to serve in the capacity for which he has been commissioned, by going before a proper officer and take the required oath, and notify the Adjutant General of such fact.

Which,
On motion by Mr. Gresham,
Was laid on the table.

Mr. Heffren moved that House bill No. 21 be considered as engrossed, and read a third time now.

Mr. Bundy moved the previous question.

Which was seconded by the House.

The motion then prevailed.

House bill No. 21. A bill for the organization and regulation of the Indiana militia, prescribing penalties for violations of said regulations, and repealing all laws heretofore enacted on that subject.
Was read a third time.

The question being shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Bingham, Black, Brucker, Bundy, Campbell, Cason, Chapman, Collins of Whitley, Coopridier, Crain, Dashiell, Dobbins, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming,

Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Hopkins, Howard, Hudson, Hurd, Jenkinson, Jones of Vermillion, Jones of Wayne, Lods, Lane, Lightner, McClurg, McLean, Moorman, Moss, Nebeker, Newman, Orr, Parrett, Pitts, Prow, Randall, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Wilson, Woodhull, Woods and Mr. Speaker—74.

Those who voted in the negative were,

Messrs. Combs, Davis, Horton, Packard and Polk—5.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Gresham moved the following amendment to the title.
Which was adopted.

Insert after "regulation" "providing for the election and appointment of officers, defining the duties of military and civil officers, and penalties for the neglect or violation thereof; providing for courts martial, councils of administration, and military encampments; making appropriations for the support of said militia; repealing all laws heretofore enacted on that subject, and declaring an emergency for the immediate taking effect thereof."

On motion by Mr. Moss,

Resolved, That the Doorkeeper be instructed to procure three dollars worth of postage stamps for the use of each member and officer of this House, to be paid for out of the appropriation already made for the expenses of the present session.

On motion,
The House adjourned till 9 o'clock to-morrow morning.

FRIDAY MORNING, 9 o'CLOCK, }
 May 3, 1861. }

On motion by Mr. Gifford,

The reading of the Journal was dispensed with.

PETITIONS, MEMORIALS, REMONSTRANCES, AND RESOLUTIONS.

Mr. Jenkinson offered

Joint resolution No. 5. A joint resolution to appoint Commissioners to visit and confer with the Legislature of Kentucky.

Mr. Bundy moved to refer the joint resolution to the Select Committee of Five, heretofore raised on the Senate joint resolution on the same subject.

The question being on the reference,

Mr. Holcomb moved the previous question,
 Which was seconded by the House.

Messrs. Heffren and Jenkinson demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Anderson, Black, Brett, Bundy, Collins of Adams, Combs, Crain, Dobbins, Edson, Erwin, Feagler, Ferguson, Fleming, Ford, Frasier, Gifford, Goar, Gresham, Hall, Haworth, Hayes, Heffren, Henricks, Holcomb, Horton, Howard, Jones of Tippecanoe, Jones of Wayne, Knowlton, Lods, Lee, McClurg, McLane, Moorman, Moss, Mutz, Newman, Orr, Owens, Packard, Pitts, Polk, Prosser, Ragan, Robbins, Roberts, Sloan, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thompson, Warrum, Wells, Williams, Woodhull and Mr. Speaker—58.

Those who voted in the negative were,

Messrs. Bingham, Bryan, Chapman, Campbell, Cason, Collins of Whitley, Coopridier, Epperson, Fisher, Fordyce, Fraley, Harvey, Hopkins, Hudson, Hurd, Jenkinson, Jones of Vermillion, Kendrick, Lane, Lightner, Nebeker, Parrett, Prow, Randall, Sherman, Thomas, Underwood, Veatch, Wilson, and Woods—31.

So the motion to refer prevailed.

Mr. Heffren moved to suspend the order of business, and take up Senate bill No. 1,

Which was agreed to.

The question being on concurring in the report of the Committee, and adopting the amendments reported,

Mr. Fisher moved to read the bill by sections,
Which was agreed to.

Senate bill No. 1. A bill to provide for the employment of (six) (seven) regiments of volunteers for the protection of the property and citizens of the State, and making provision for the organization and equipment of the same, and fixing the compensation of the officers and men comprising said force, and procuring arms therefor,
Was taken up and read by sections.

Mr. Fisher moved to refuse to concur in the amendment to the first section, creating an additional regiment of cavalry.

On motion,
Mr. Orr, obtained leave of absence till Monday, at 2 o'clock.

Mr. Packard moved the House do new adjourn,
Which was not agreed to.

The question being on Mr. Fisher's motion,

Mr. Holcomb demanded the previous question,
Which was seconded by the House.

Messrs. Jenkinson and Prosser demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bundy, Campbell, Chapman, Collins of Whitley, Collins of Adams, Crain, Epperson, Feagler, Fisher, Fordyce, Frasier, Goar, Harvey, Henricks, Hudson, Jones of Wayne, Lane, Lee, Moorman, Nebeker, Newman, Parrett, Prow, Ragan, Randall, Smith of Bartholomew, Smith of Miami, Underwood, Woods—29.

Those who voted in the negative were,

Messrs Bingham, Black, Brett, Brucker, Bryan, Burgess, Cason, Combs, Coopridier, Davis, Dobbins, Edson, Erwin, Ferguson, Fleming, Fraley, Gifford, Gresham, Hall, Haworth, Hayes, Heffren, Holcomb, Hopkins, Horton, Howard, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Knowlton, Lods, Lightner, McClurg, McLean, Orr, Packard, Pitts, Polk, Prosser, Robbins, Roberts, Sloan,

Sherman, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Veatch, Warrum, Wells, Wilson, Woodhull and Mr. Speaker—56.

So the motion did not prevail.

Mr. Jenkinson moved to strike out the whole of section one,
Which was decided out of order.

Mr. McLean moved to concur, with the following amendment:

Amend section first of the bill by striking out "that the Governor be authorized and requested to call into the active service of the State," and inserting in lieu thereof the following: "That the Governor be authorized and empowered in his discretion, whenever the exigencies of the country require it, in order to repel threatened invasion, or to provide more efficiently for the public defence to call into the active service of the State."

Pending the consideration of which,

On motion,

The House adjourned till 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met.

Mr. McLean moved to suspend the order of business, and take up bills on their second reading,
Which was agreed to.

House bill No. 23. A bill to amend sec. 412 of an act to revise, simplify and abridge the rules, practice and pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity, approved June 18, 1852, so as to extend the time for the return of executions and the time for advertisements upon them,

Was read a second time, and referred to the Committee on the Judiciary.

House bill No. 30. A bill making appropriations for the Hospital for the Insane.

Was read a second time and ordered to be engrossed.

House bill No. 27. A bill providing for relief by valuation and appraisement upon executions upon judgments on all contracts hereafter made.

Was read a second time and referred to the Committee on the Judiciary.

Mr. Frasier moved to amend by striking out two-thirds and inserting one half.

Referred with the bill.

House bill No. 28. A bill providing for the redemption of real property sold upon execution within this State.

Was read a second time and referred to the Committee on the Judiciary.

Mr. Holcomb, from a select committee, asked and obtained leave to make the following report:

MR. SPEAKER:

The select committee, to whom was referred a resolution of the House instructing them to investigate and report to the House the order in which volunteer companies have been reported to the office of the Adjutant General beg leave to report that after a careful examination of the books and papers on file in said office, and other evidence, they find the following to be the order in which companies have been reported since the first requisition for six regiments was filed:

1. Capt. Morrison, Floyd county, April 16, in camp.
2. " Foote, Parke county, April 17.
3. " Bachman, Jefferson county, April 18, no roll filed.
4. " Hubler, Kosciusko county, April 18.
5. " McQueston, Ripley county, April 18.
6. " Wilson, Miami county, April 19, in camp.
7. " Wood, Tippecanoe county, April 20.
8. " Humphrey, Allen county, April 20.
9. " Link, Allen county, April 20.
10. " Chancey, Jefferson county, April 20, no roll filed.
11. " Wolfe, Rush county, April 20.
12. " Lee, Wayne county, April 20.
13. " Wallace, Grant county, April 20.
14. " Kelly, Monroe county, April 20.
15. " Bennett, Union county, April 20.
16. " Marshall, Fayette county, April 20.
17. " Martin, Owen county, April 20.
18. " Shuler, Hendricks county, April 20.
19. " Kimble, Martin county, April 20.

20. Capt. Mahan, Putnam county, April 22, in camp.
21. " Huey, Knox county, April 22, in camp.
22. " Gillespie, Floyd county, April 22, in camp.
23. " Barnes, Laporte county, April 22, in camp.
24. " Platter, Dearborn county, April 22, in camp.
25. " Camporiet, Porter county, April 22, in camp.
26. " Harrington, Bartholomew county, April 22.
27. " Barton, Franklin county, April 22.
28. " Harrow, Knox county, April 22.
29. " Short, Putnam county, April 22.
30. " Brown, Cass county, April 22.
31. " McFarland, Shelby county, April 22.
32. " Gorman, Gibson county, April 22, as per dispatch filed
with committee.
33. " Kidd, Gibson county, April 22, as per dispatch filed
with committee.
34. " Noel, Hancock county, April 23, in camp.
35. " Drapier, Jennings county, April 23, in camp.
36. " Dobbs, Marion county, April 23, in camp.
37. " Kirkpatrick, Howard county, April 23, in camp.
38. " Clinton, Camp Morton, April 23, in camp.
39. " Short, Lawrence county, April 23, in camp.
40. " O'Brien, Hamilton county, April 23, in camp.
41. " Prather, Bartholomew and Jennings, April 23, in camp.
42. " Hager, Vigo county, April 23, in camp.
43. " Lamb, Montgomery county, April 23, in camp.
44. " Lucas, Montgomery county, April 23, in camp.
45. " Myers, Ripley county, April 23, in camp.
46. " Owens, Clinton county, April 23, in camp.
47. " Miller, Jasper county, April 23, in camp.
48. " Thompson, Grant county, April 23, in camp.
49. " Judkins, Shelby county, April 23, in camp.
50. " Urrah, Porter county, April 23.
51. " Sayles, Washington county, April 23.
52. " Herron, Tippecanoe county, April 23.
53. " Rice, Fountain county, April 24, in camp.
54. " Claypool, Fountain county, April 24, in camp.
55. " Davis, Franklin county, April 24, in camp.
56. " Johnson, Huntington county, April 24, in camp.
57. " Fowler, St. Joseph, April 24, in camp.
58. " Reed, Madison county, April 24, in camp.
59. " Armstrong, Clay county, no date or roll filed.
60. " Jordan, Harrison county, April 24, in camp.
61. " Roberts, Laporte county, no date or roll filed.
62. " Pool, Hancock county, April 24.
63. " Thompson, Marion county, April 25, in camp.
64. " Kleonne, Miami county, April 25, in camp.
65. " Milroy, Carroll county, April 25, in camp.
66. " Bickle, Wayne county, no date or roll filed.

67. Capt. Allison, Johnson county, April 25.
68. " Oldshue, Montgomery county, no date or roll filed.
69. " Slough, Whitly county, April 25.
70. " Leaning, Tipton county, no date or roll filed.
71. " Martin, Sullivan county, April 25, in camp 30.
72. " Morgan, Montgomery county, April 25.
73. " Huffman, Boone county, April 25.
74. " Harden, Marion county, April 25.
75. " Daily, Boone county, April 25.
76. " Richmond, Howard county, April 25.
77. " Hager, Parke county, April 25.
78. " Pennington, Floyd county, April 25.
79. " Braunleck, Vigo county, April 25.
80. " Johnson, Tippecanoe county, April 25.
81. " Jackson, Floyd county, April 25.
82. " Hascall, Elkhart county, April 26.
83. " Brown, Cass county, April 26.
84. " Johnson, Morgan county, April 26.
85. " Hown, Crawford county, April 26.
86. " Ross, Clark county, April 26.
87. " Vawter, Jennings county, April 26.
88. " Bailey, Marshall county, April 26.
89. " Crawford, Tipton county, April 26.
90. " Kelly, Johnson county, April 27.
91. " Bailey, Shelby county, April 27.
92. " Kelly, Tippecanoe county, April 27.
93. " Kay, Floyd county, April 27.
94. " Wilson, Wayneville, April 27.
95. " Budd, Jackson county, April 29.
96. " Carroll, Shelby county, April 29.
97. " Templeton, Benton county, April 29.
98. " Hanna, Hamilton county, April 29.
99. " Lee, Tippecanoe county, April 29.
100. " West, Vigo county, April 29.
101. " Clark, Tippecanoe county, April 29.
102. " Hurd, Allen county, April 29.
103. " Steele, Monroe county, April 29.
104. " Green, Delaware county, April 29.
105. " Wheeler, Lake county, April 29.
106. " Chamberlain, Cass county, April 29.
107. " Noblett, Martin county, April 29.
108. " Scott, Cass county, April 29.
109. " Hester, Brown county, April 30.
110. " Saltzman, Posey county, April 30.
111. " Cannon, Floyd county, April 30.
112. " Neal, Hamilton county, April 30.
113. " Carr, Jackson county, April 30.
114. " Cotlibb, Vermillion county, April 30.
115. " Merrick, Pike county, April 30.

- 116. Capt. Miller, Tippecanoe county, April 30.
- 117. " Dick, Fountain county, May 1.
- 118. " Mulky, Monroe county, May 1.
- 119. " Cuberly, Grant county, May 1.
- 120. " Branham, Hancock county, May 1.
- 121. " Curl, Noble county, May 1.
- 122. " Wakeman, Jasper county, May 1.
- 123. " Scott, Pike county, May 1.
- 124. " Williams, Delaware county, May 1.

Your committee would add that prior to the appointment of the present Adjutant General of the 24th ult. at noon, owing to the great press of business no proper register was kept of the telegrams and letters received and answers thereto. The present Adjutant General adopted for his the fourth regulation of General Orders No. 1, published April 15th, which required Captains of Companies, when organized by the election of officers, to report names of officers and company roll upon which companies were registered. The registry of companies offered prior to that time has since been made from the best data found in the office.

The Senate's resolution authorizes the registry of the companies offered in the order of their acceptance by telegraph or otherwise.

Your committee have varied the registry as kept by the Adjutant General accordingly.

Mr. Jennings moved to lay the report on the table, and make it the special order for to-morrow at 10 o'clock A. M.

The House then resumed the consideration of Senate bill No. 1.

The question being on Mr. McLean's motion and amendment to section 1,

Mr. Dobbins moved to lay the motion on the table.
Which was agreed to.

The question being on concurring in the report of the committee and adopting the amendments to section 1 of the bill,

Mr. Stotsenburg moved the previous question.
Which was seconded by the House.

Mr. Lane called for a division of the question.

The question being first on the amendment inserting seven instead of six regiments,
The amendment was lost.

The question then being on the amendment extending the term of service from 12 months to 3 years,

The amendment was adopted.

The question being on the Seventh Regiment, being cavalry,

The amendment was lost.

The question being on the proviso giving preference to counties not having companies under the Governor's proclamation,

The amendment was adopted.

Section 2d was amended as follows: "After the word "captain," in the 4th line, strike out the words "one lieutenant, one ensign."

In section 3, "seven" was, by consent, stricken out, and "six" inserted, and all the section after the words "Brigadier General" in the 2d line.

The report of the committee amending section 4, striking out the words "three-quarters of," in the 5th line,

Was not concurred in.

The amendment inserting the words "rules and" before "regulations," in the 2d line, and the words "United States" before "army" in the 3d line,

Was adopted.

The report of the committee amending section 4, by substituting "seven" for "six" in 2d line, and inserting the word "public" before the word "notice," in 5th line,

Was not concurred in.

Mr. Davis moved to concur with the following amendment: "Section 6, line 5, strike out "war" and insert "rebellion."

Mr. Edson moved to concur with the following amendment to the amendment: Strike out all after the word "equip," in 5th line.

The question being on Mr. Edson's amendment,

It was adopted.

Mr. Heffren moved to indefinitely postpone the bill and amendments,

Which was not agreed to.

Mr. Edson moved to concur in the report of the committee, with the following amendment:

Amend by inserting after the word "State," in the 15th line in section first, as follows, to-wit: "For the protection of the persons

and property of the citizens of the State," and after the word "States" in line 16, "as he in his discipline may determine."

Mr. Stotsenburg moved the previous question.
Which was seconded by the House.

Mr. Edson's amendment was lost.

Mr. Bundy moved to concur, with the following amendment:

Provided, That the troops herein provided shall be held in readiness and turned over to the United States service whenever a requisition shall be made by the President, and it is expressly understood that the regiments are not to be supplied by others.

The question being on the adoption of Mr. Bundy's amendment,

Mr. Cameron moved the previous question.
Which was seconded by the House.

Messrs. Bundy and Smith of Bartholomew demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Anderson, Black, Brett, Bryan, Bundy, Cameron, Campbell, Collins of Adams, Ferguson, Ford, Hayes, Horton, Howard, Jenkinson, Knowlton, Lane, Nebeker, Packard, Parrett, Polk, Prosser, Prow, Ragan, Randall, Robbins, Smith of Bartholomew, and Trier—26.

Those who voted in the negative were,

Messrs. Atkinson, Brucker, Cason, Chapman, Collins of Whitley, Combs, Coopridler, Dashiell, Dobbins, Edson, Epperson, Erwin, Fisher, Fleming, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Heffren, Henricks, Holcomb, Hopkins, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lods, Lee, Lightner, McClurg, Moody, Mqorman, Moss, Newman, Owens, Pitts, Roberts, Sloan, Sherman, Stevenson, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—60.

So the amendment was not adopted.

Mr. Heffren moved to concur, with the following amendments:

Strike out section 6, and also amend by inserting the word "cavalry" before "artillery," in line 13, section 1.

Which was adopted.

Mr. Sherman moved to strike out the amendment of the committee inserting three years in place of 12 months, in line 12, section 1, and inserting the words "three quarters of," before the words "the pay" in line 5, section 4.

Mr. Jenkinson demanded a division of the question.

The question being on striking out the amendment to the first section,

It was agreed to.

The question being on striking out the amendment to Sec. 4,

Mr. Jenkinson and Robbins demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Brucker, Cameron, Cason, Coopridger, Dashiell, Dobbins, Edson, Erwin, Fisher, Fordyce, Gresham, Hall, Harvey, Haworth, Hopkins, Hurd, Jones of Vermillion, Kendrick, Lightner, McClurg, Moody, Packard, Pitts, Prosser, Sloan, Sherman, Thomas, Thompson, Turner, Warrum, Wells and Woods—33.

Those who voted in the negative were,

Messrs. Anderson, Atkinson, Black, Brett, Bryan, Bundy, Campbell, Collins of Whitley, Chapman, Collins of Adams, Combs, Crain, Davis, Epperson, Ferguson, Fleming, Ford, Fraley, Frasier, Gifford, Goar, Hayes, Heffren, Henrieks, Holcomb, Horton, Hudson, Jenkinson, Jones of Tippecanoe, Jones of Wayne, Kitchen, Knowlton, Lods, Lane, Lee, Moorman, Moss, Nebeker, Newman, Owens, Parrett, Prow, Ragan, Randall, Robbins, Roberts, Smith of Bartholomew, Stevenson, Trier, Underwood, Veatch, Williams, Wilson, Woodhull and Mr. Speaker—55.

So the motion to strike out the amendment to Sec. 4 did not prevail.

Mr. Allen moved a reconsideration of the vote.

The question being on the motion to reconsider,

Mr. Gresham moved the previous question.

Which was seconded by the House.

Messrs. Jenkinson and Atkinson demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bingham, Cameron, Cason, Coopridger, Dashiell, Dobbins, Edson, Erwin, Fisher, Fordyce, Fraley, Gresham, Hall, Harvey, Hawthorth, Heffren, Holcomb, Hopkins, Jones of Vermillion, Kendrick, Kitchen, Lightner, McClurg, Moody, Nebeker, Pitts, Prosser, Sherman, Thomas, Turner, Warrum, Wilson and Mr. Speaker—33.

Those who voted in the negative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bryan, Bundy, Campbell, Collins of Whitley, Collins of Adams, Chapman, Combs, Crain, Davis, Epperson, Ferguson, Fleming, Ford, Frasier, Gifford, Goar, Hayes, Henricks, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Wayne, Lods, Lane, Lee, McLean, Moorman, Moss, Newman, Owens, Packard, Parrett, Polk, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Smith of Bartholomew, Stevenson, Trier, Thompson, Underwood, Veatch, Wells, Williams, Woodhull and Woods—57.

So the vote was not reconsidered.

Mr. Fisher offered to amend the bill by adding the following section:

SEC. —. That whenever the said regiment, or any part thereof, are called into actual service to repel invasion or protect our border, the commissioned officer shall receive the same pay as officers of the same grade in the United States Army.

Mr. Smith of Bartholomew moved to lay the amendment on the table.

Which was agreed to.

Mr. Cason moved to amend by adding to the bill

SEC. 7. The Governor shall have power to organize one battalion (to consist of four companies) of sappers and miners, which corps shall be equipped with all the requisites for such a corps. The duties of that corps, and all regulations pertaining to it, shall be the same as the corps of sappers and miners of the United States Army as far as practicable.

Which was not adopted.

Mr. Parrett offered the following amendment to the bill:

Strike out the word "six," in the second line of the first section

and insert "three," and the word "two," in the second line of section three.

Mr. Crain moved to amend the amendment by substituting "four" for "three."

The question being on Mr. Crain's amendment,
It was not adopted.

The question recurring on the amendment of Mr. Parrett,
It was adopted.

Mr. Holcomb obtained leave of absence.

Mr. Gresham offered the following amendment,
Which was adopted.

Amend by inserting after the word "army," in the third line in section 4, the following words: "So far as the same are not inconsistent with any law in force in the State, and for the organization and regulation of the Indiana Militia."

Mr. Jenkinson offered the following:

Amend fifth section by striking out the words "half pay," and inserting the words "no pay."
Which was laid upon the table.

Mr. Heffren moved that the bill and amendment be laid on the table.

Which was not agreed to.

Mr. Frasier moved that the bill be read a third time now.
Which was agreed to.

Senate bill No. —. A bill to provide for the employment of six regiments of volunteers for the protection of the property and citizens of the State, and making provision for the organization and equipment of the same, and fixing the compensation of the officers and men comprising said force, and procuring arms therefor.

Was read a third time, and

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Brett, Brucker, Bryan, Bundy, Cameron, Cason, Collins of Whitley, Chapman, Combs, Coop-

rider, Crain, Dashiell, Edson, Erwin, Ferguson, Fisher, Fordyce, Fraley, Frasier, Goar, Gresham, Hall, Harvey, Haworth, Henricks, Hopkins, Horton, Howard Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Knowlton, Lods, Lee, Lightner, McClurg, McLean, Moody, Moorman, Nebeker, Owens, Parrett, Pitts, Ragan, Randall, Roberts, Sloan, Sherman, Stevenson, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Wilson, Woodhull, Woods and Mr. Speaker—65.

Those who voted in the negative were,

Messrs. Campbell, Collins of Adams, Epperson, Gifford, Hayes, Heffren, Holcomb, Jenkinson, Kitchen, Lane, Polk, Prow, Robbins, Smith of Bartholomew and Trier—15.

So the bill passed.

Mr. Gresham moved to amend the title by adding at the conclusion the following, to-wit: "And to provide for a transfer of the same to the General Government;" and, also, by inserting "three" instead of "six," before the word "regiments."

Which was agreed to.

By unanimous consent,

The Clerk was instructed to record the vote of Mr. Kitchen in the affirmative on the passage of the bill authorizing the sale of two millions of bonds to raise money for military purposes.

On motion,

The House adjourned till 9 o'clock, to-morrow morning.

SATURDAY MORNING, 9 o'clock, A. M., }
May 4th, 1861. }

House met.

On motion by Mr. Fisher,
The reading of the Journal was dispensed with.

E. S. H. J.—8.

Message from the Senate by Mr. Brown, their Secretary.

MR. SPEAKER:

I am instructed by the Senate to inform the House of Representatives that the Senate has passed the following concurrent resolution of the House, to-wit:

WHEREAS, It is understood that the General Government is now in possession of a large amount of arms and accoutrements necessary for the equipment of cavalry regiments, Therefore,

Be it resolved by the House of Representatives, the Senate concurring, That the Governor be instructed to request the General Government to furnish to the State of Indiana eight hundred breach-loading bayonet carbines, and the pistols, sabres, saddles and bridles, tents, and all the equipments necessary for the equipment of eight hundred cavalry.

Also,—

That the Senate has concurred in the engrossed amendments of the House to Senate bill No. 12. A bill to legalise the act of the Auditor of State in depositing certain bonds of the State in the branch at Indianapolis of the Bank of the State of Indiana, as security for twenty-five thousand dollars borrowed by the Governor, Secretary, Auditor and Treasurer of State, and to assume and provide for the payment of said sum of money by the State.

Messrs. Black, Ford and Prosser, by unanimous consent, recorded their votes in the negative on the passage of Senate bill No. 1.

And Mr. Dobbins, by unanimous consent, recorded his vote in the affirmative on Senate bill No. 1.

PETITIONS, MEMORIALS, REMONSTRANCES AND RESOLUTIONS.

Mr. Heffren offered the following concurrent resolution:

Resolved, the Senate concurring therein, That the Governor be directed to return to their respective homes all such companies of troops as have come to this city either in violation of orders, or without the same, and that all companies which may arrive either without orders or in violation of the same, be remanded in the same manner.

Mr. Turner moved to amend the resolution as follows:

Except such companies as have received orders from any officer having competent authority to issue the same, the evidence of which shall be the orders itself.

The question being on the adoption of the amendment,
Mr. Moorman moved the previous question.
Which was seconded by the House.

Mr. Turner's amendment was not adopted.

The question recurring on the concurrent resolution,
It was adopted.

Ordered, That the Clerk inform the Senate thereof.

Mr. Fisher offered the following resolution :

Resolved, That the Auditor, Secretary and Treasurer of State be requested to communicate to this House what omissions were made in the appropriation bill, and what items are deficient in amount.
Which was adopted.

By unanimous consent,
Mr. Knowlton recorded his vote in the negative on the passage of Senate bill No. 1.

Mr. Hayes offered the following resolution :

Resolved, That when this House adjourn, it adjourn to meet at 2 o'clock P. M. on Monday.

Mr. Heffren moved to lay the resolution on the table.
Which was agreed to.

Mr. Fisher moved to take up the Senate message, refusing to concur in the amendment of the House to Senate bill No. 1.
Which was agreed to.

Message from the Senate by Mr. Brown, its Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate has refused to concur in the House engrossed amendments to the Senate bill No. 1, to-wit :

Senate bill No. 1. An act to provide for the employment of Six

Regiments of Volunteers for the protection of the property and citizens of the State, making provision for the organization and equipment of the same, and fixing the compensation of the officers and men composing said force, and for procuring arms therefor.

Mr. Fisher moved that the House insist upon its amendments to Senate bill No. 1.

Which was agreed to.

Mr. Fisher moved that there be a Committee of Free Conference appointed.

Which was agreed to.

Messrs. Fisher, Heffren and Gresham were appointed said committee.

Mr. Woodhull offered the following resolution :

Resolved, That the Governor be directed to return to their respective homes all the companies of troops now in this city not mustered into the service of the United States,

Which was referred to the Committee on Military Affairs.

Mr. Veatch offered the following resolution :

Resolved, That the Committee of Conference be instructed to insert in no greater number than Four Regiments, and that they shall be dismissed without pay when no longer needed.

Which was decided out of order.

The Speaker laid before the House the following communication from the Commissary General,

Which,

On motion by Mr. Heffren,

Was referred to the Committee on Military Affairs.

To the Speaker of the House of Representatives of the State of Indiana :

In compliance with the request contained in a resolution of your honorable body of the 30th ult., I respectfully submit the following report, embodying as near as possible a correct reply to your interrogatory resolutions.

The amount of supplies purchased for the use of the troops in and near Camp Morton has been only in lots barely to supply them daily, except in the articles of rice and sugar, of which two articles a longer supply has been purchased at prices very advantageous to the State.

On the first arrivals of the troops here, and before the Quartermaster could supply them with the proper cooking utensils, I had to furnish a large supply of cooked meats for their subsistence. My purchases have all been made by an experienced buyer in open market, in accordance with paragraph No. 944 of U. S. Army Regulations, which reads as follows:

“When immediate delivery or performance is required by the public exigency, the article or service required may be procured by open purchase or contract, at the places and in the mode in which such articles are usually bought and sold or such services engaged between individuals.”

The purchases have been made, in every instance, from grocers, manufacturers, and produce and provision dealers of Indianapolis, strictly in my judgment for the best interest of the State.

In the articles of bread and beef, I am furnishing on contracts, as per bids on file in my office, notice having been given by my assistant to all parties dealing in the articles required.

Appended hereto I give you an approximate estimate of the kind, quantity and cost of the articles issued to the troops, based on the present market prices. The contributions thus far are very small, and I also append to this report a statement of them. I have been compelled heretofore to furnish ground coffee to the troops, in consequence of there being no means provided by the Quartermaster for grinding and roasting green coffee, and as there has been so much dissatisfaction on account of the ground coffee being adulterated, I have made arrangements to issue green coffee in a day or two. In consequence of not knowing how long the troops would be quartered in this vicinity, I have been deterred from entering into any expensive engagements for provisions and supplies, as there appeared to be such a strong probability of their being ordered into distant service as soon as they could be organized into regiments.

The same uncertainty still exists, and I have deemed it impolitic to enter into any heavy contracts in advance, unless specially authorized by the Legislature to do so.

According to the provision returns of the different companies in service which have been returned by my department, there appears to be 7,130 men at the expense of the State. This may not be entirely correct, but I presume the Adjutant General can furnish you with a correct report of the men that have been mustered into service.

Appended hereto, I also hand you a list of all the supplies purchased up to the present time, with the quantities, prices and amounts. I also annex an approximate estimate of the cost per diem for maintaining one man, or one hundred men, as the rations are now being issued, and based on the present market prices.

All of which is respectfully submitted.

ISAIAH MANSUR,
Commissary General Indiana Militia.

Estimate of the cost per diem of one man or one hundred men, as the rations are now being issued:

150	pounds fresh beef, or 110 pounds pork.....	\$9 00
150	pounds bread.....	5 00
30	pounds beans and 12 pounds rice.....	1 25
8	pounds coffee.....	1 36
16	pounds sugar	1 12
3	candles	38
6	pounds soap	36
2½	gallons vinegar	20
12	pounds salt.....	9
100	pounds potatoes	60
1	pound pepper.....	15
1½	bushels dried fruit.....	1 50
3	bushels onions.....	2 50
	Pickles	40
	Other anti-scorbutics.....	2 00
	Labor, wastage, leakage, loss in tare and transportation..	4 00
	Probable requisition from the medical department.....	4 00
	Total cost of rations for one hundred men.....	34 91

Net cost for one man per day.....34 9-10th cents.

A. Wallace.....	8 tierces rice,	5062 lbs. at 5½c.,	\$259 53
A. & H. Schnull.....	3 tierces rice,	1981 lbs. at 5¼c.,	104 00
Wright, Bates & Maguire,	2 tierces rice,	1269 lbs. at 5c.,	63 45
J. & J. Bradshaw.....	1 tierce rice,	597 lbs. at 5¼c.,	31 34
A. & H. Schnull.....	8 tierces rice,	5121 lbs. at 5¼c.,	268 85
W. S. Hubbard.....	1 tierce rice,	628 lbs. at 5c.,	31 40
B. F. Tuttle.....	1 tierce rice,	646 lbs. at 5c.,	32 30
B. F. Tuttle.....	1 tierce rice,	655 lbs. at 5c.,	32 75

15,959 lbs. at \$823 62

J. Pense.....	295 bushels potatoes at 25c.,	\$73 75
B. F. Tuttle.....	10 " 25c.,	2 50
B. Lawrence.....	100 " 25c.,	25 00
E. Pense.....	12½ " 20c.,	2 50
E. Schofield.....	8½ " 25c.,	2 12
S. Pense.....	12½ " 25c.,	3 12
J. L. Toon.....	173½ " 25c.,	43 37
J. G. Webb.....	20½ " 25c.,	5 12
Howland	33 " 25c.,	8 25
J. L. Toon.....	36½ " 25c.,	9 12
W. Muir.....	53 " 25c.,	13 25
E. Collins.....	42 " 25c.,	10 50
J. S. Wells.....	25½ " 25c.,	6 37
M. Lanegan,.....	15½ " 25c.,	3 87

J. D. Boots.....	24	bushels potatoes at 25c.,.....	6 00
J. S. Webb.....	30	" 25c.,.....	7 50
A. Collins.....	44½	" 25c.,.....	11 12
J. L. Canary.....	22	" 25c.,.....	5 50
R. Webb	28	" 25c.,.....	7 00
R. Schofield.....	15	" 20c.,.....	3 00
Q. Thompson.....	135¼	" 20 and 22½c.,.....	27 79
B. Myers.....	33	" 20c.,.....	6 60
J. McClelland	13	" 20c.,.....	2 60
R. Webb.....	23	" 20c.,.....	5 75
J. Carwell.....	25	" 25c.,.....	6 25
J. L. Canary.....	17	" 25c.,	4 25
James Green.....	28½	" 25c.,.....	7 12
L. Cox.....	20	" 25c.,	5 00
H. Bardner.....	104	" 25c.,.....	26 00
E. Collins.....	32	" 25c.,.. ..	8 00
V. Noel.....	37¾	" 25c.,.....	9 44
William Muir.....	48	" 25c.,	12 00
R. Staton.....	22	" 20c.,.....	4 40
John Adams.....	38	" 25c.,.....	9 50
R. A. Church.....	24	" 25c.,.....	6 00
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1,602			\$389 66

Wright, Bates & Maguire,	15 bags coffee, 2466 lbs. at 14¼c.,	\$351 41
B. F. Tuttle.....	2 bags coffee, 337 lbs. at 14½c.,	49 11
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17 bags	2803 lbs.	\$400 52

I. N. Phipps.....	205 lbs. cheese at 9c.,	\$18 45
B. F. Tuttle.....	172 lbs. cheese at 9c.,	15 52
B. F. Tuttle.....	263 lbs. cheese at 9c.,	23 67
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640 lbs.		\$57 64

B. F. Tuttle.....	10 boxes, 250 ground pepper, 60 doz.	30 \$20 50
B. F. Tuttle.....	12 boxes, — ground pepper, 72 doz.	210 25 20
B. F. Tuttle.....	2 boxes, 50 ground pepper, 12 doz.	35 4 70
B. F. Tuttle.....	1 box, 25 ground pepper, 6 doz.	35 2 35
B. F. Tuttle.....	6 boxes, 150 ground pepper, 36 doz.	35 14 10
B. F. Tuttle.....	5 boxes, 125 ground pepper, 30 doz.	35 11 75
B. F. Tuttle.....	5 boxes, 125 ground pepper, 30 doz.	35 11 75
B. F. Tuttle.....	4 boxes, 100 ground pepper, 24 doz.	35 9 40
B. F. Tuttle.....	2 boxes, 50 ground pepper, 12 doz.	35 4 70
B. F. Tuttle.....	1 box, 25 ground pepper, 6 doz.	35 2 35
B. F. Tuttle.....	4 boxes, 100 ground pepper, 24 doz.	35 9 40
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		\$116 20

B. F. Tuttle,.....105 dried beef, 105, \$11 55

C. John.....	450 lbs. bread,
L. Bret.....	2,654 lbs. bread,
C. John.....	562 lbs. bread,
J. W. Brown.....	6,348 lbs. bread,
L. Bret.....	1,451 lbs. bread,
F. Balman.....	14,319 lbs. bread,
A. & J. Metzger.....	3,937 lbs. bread,
L. Bret.....	8,025 lbs. bread,
J. W. Brown	8,175 lbs. bread,
A. & J. Metzger.....	7,943 lbs. bread,
F. Balman.....	9,254 lbs. bread,
Green & Thalman.....	1,455 lbs. bread,
A. & J. Metzger.....	7,183 lbs. bread,
A. & J. Metzger.....	4,963 lbs. bread,
J. W. Brown.....	1,003 lbs. bread,
H. Thompson.....	56 lbs. bread,
A. & J. Metzger.....	4,241 lbs. bread,
G. Haas.....	2,573 lbs. bread,
Green & Thalman.....	2,113 lbs. bread,
A. & J. Metzger.....	6,345 lbs. bread,
H. Thompson.....	7,614 lbs. bread,
F. Balman.....	1,300 lbs. bread,
C. John	562 lbs. bread,
H. Thompson.....	952 lbs. bread,
F. Balman.....	163 lbs. bread,

103,641 lbs. bread at $3\frac{1}{2}$ cents, \$3,454 70

Alford, Mills & Co.....	23 bbls. 575 sugar, 5510 lbs. $6\frac{1}{4}$ c.,	350 13
Alford, Mills & Co.....	22 bbls. 550 sugar, 5558 lbs. $6\frac{1}{4}$ c.,	352 87
B. F. Tuttle.....	14 bbls. 350 sugar, 3586 lbs. $6\frac{3}{4}$ c.,	245 55
B. F. Tuttle.....	2 bbls. 50 sugar, 507 lbs. 6^{10} c.,	32 90
B. F. Tuttle.....	1 bbl. 25 sugar, 265 lbs. 6^{10} c.,	18 21
B. F. Tuttle.....	1 bbl. 25 sugar, 266 lbs. 6^{10} c.,	18 27
S. Rogarten.....	4 bbls. 100 sugar, 793 lbs. $6\frac{1}{4}$ c.,	50 55
M. Fitzgibbon & Co.....	8 bbls. 200 sugar, 1864 lbs. $6\frac{1}{4}$ c.,	119 20
B. F. Tuttle.....	2 bbls. 50 sugar, 545 lbs. 6^{10} c.,	35 38
B. F. Tuttle.....	2 bbls. 50 sugar, 583 lbs. 6^{10} c.,	37 82
B. F. Tuttle.....	2 bbls. 50 sugar, 549 lbs. 6^{10} c.,	35 64
B. F. Tuttle.....	4 bbls. 100 sugar, 1107 lbs. 6^{10} c.,	71 89

21,133

\$1,368 41

Wright, Bates & Maguire	5 bags 125 beans, 743 at	90c., \$12 50
A. Wallace.....	5 bls. 100 beans, 1029 at	90c., 16 44
J. A. Frazer & Co.....	18 bls. 450 beans, 4066 at	80c., 58 71
J. A. Frazer & Co.....	drayage.....	1 20

B. F. Tuttle.....	100 bus.	beans, 6000	\$1,00	\$100 00
J. Pense.	2 sacks	50 beans, 315	1,25	7 07
Thomas Barnet.....	1 bl.	25 beans, 225	90c.,	3 65
B. F. Tuttle.....	3 bl.	75 beans, 692	1,25	15 15
B. F. Tuttle.....	3 bl.	75 beans, 690	1,25	15 12
B. F. Tuttle.....	3 bags,	75 beans, 360	1,10	7 35
F. Wright.....	1½ bus.	beans, 80	90c.,	1 20
H. Barnier.....	16 bls.	480 beans, 3278	1,00	59 44
J. Hatfield.....		beans, 1470	90c.,	26 10
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18,948 lbs.,				\$323 93

Fait & Son.....	101 16-28 bushels dried apples,	40	\$40 65
	Freight and drayage,		2 80
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B. F. Tuttle.....	20 barrels salt,	160	\$32 00
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Alford, Mills & Co.....	19 boxes.	475 soap, 1140 lbs,	4½c.,	\$57 47
Wright, Bates & Maguire	8 boxes,	200 soap, 480 lbs.	4½c.,	23 60
Eastman & Co.....	10 boxes,	250 soap, 600 lbs.	5c.,	32 50
Eastman & Co.....	10 boxes,	250 soap, 600 lbs.	5c.,	32 50
Eastman & Co.....	10 boxes,	250 soap, 569 lbs.	5c.,	30 95
I. N. Phipps.....	5 boxes,	125 soap, 300 lbs.	5½c.,	17 75
B. F. Tuttle.....	1 box,	25 soap, 60 lbs.	6c.,	3 85
B. F. Tuttle.....	1 box,	25 soap, 60 lbs.	6c.,	3 85
Alford, Mills & Co.....	25 boxes,	625 soap, 1501 lbs.	4½c.,	73 80
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5310 lbs.				\$276 27

Alford, Mills & Co.	4 boxes	gr. pepper, 200 lbs.	13½c.,	\$27 00
A. Wallace,.....	5 boxes	125 gr. pepper, 574 lbs.	13½c.,	78 74
				{ 7 00
B. F. Smith.....	31 boxes	770 gr. pepper, 3380 lbs.	13½c.	{ 456 30
Alford, Mills & Co.	14 boxes	gr. pepper, 700 lbs.	13½c.,	94 50
I. N. Phipps.....	2 boxes	gr. pepper, 200 lbs.	15c.,	30 00
B. F. Tuttle.....	2 boxes	gr. pepper, 400 lbs.	13½c.,	54 50
B. F. Tuttle.....	1 box	gr. pepper, 205 lbs.	15c.,	32 30
B. F. Tuttle.....	2 boxes	gr. pepper, 262 lbs.	13½c.,	35 88
J. J. Drum.....	1 box	gr. pepper, 200 lbs.	13½c.,	27 00
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6121 lbs.				\$843 22

A. & H. Schnull...	10 boxes,	200 candles, 480 lbs. at	9½c.,	\$47 60
B. F. Tuttle.....	2 boxes,	50 candles, 87 lbs. at	10c.,	9 20
B. F. Tuttle.....	26 boxes,	650 candles, 1194 lbs. at	10c.,	125 90
J. J. Drum.....	5 boxes,	125 candles, 221 lbs. at	10c.,	23 35
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1982 lbs.,				\$206 05

Wright, Bates & Maguire.....	12 barrels vinegar, 350,	\$42 00
B. F. Tuttle.....	15 barrels vinegar, 350,	52 50

\$94 50

McTaggart & Doherty.....	1604 lbs. beef at $5\frac{7}{8}$	\$94 23
P. Morningstar.....	2310 lbs. beef at 6	138 60
“	8670 lbs. beef at $5\frac{7}{8}$	509 35
“	2220 lbs. beef at $5\frac{7}{8}$	130 42
“	1093 lbs. beef at $5\frac{7}{8}$	64 20
McTaggart & Doherty.....	5728 lbs. beef at $5\frac{7}{8}$	336 52
P. Morningstar.....	1788 lbs. beef at $5\frac{7}{8}$	105 04
“	3820 lbs. beef at $5\frac{7}{8}$	224 37
“	4121 lbs. beef at $5\frac{7}{8}$	236 40
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	31,354	\$1,839 13

W. & I. Mansur.....	s. c. hams,	15,737 lbs. at 10c.,	\$1,573 70
“	bulk shoulders,	12,809 lbs. at 6c.,	768 54
“	bacon shoulders,	11,228 lbs. at 7c.,	785 96
“	bulk shoulders,	10,409 lbs. at 6c.,	624 54
“	bacon shoulders,	18,824 lbs. at 7c.,	1,317 68
“	“	1,173 lbs. at 7c.,	82 11
“	“	8,453 lbs. at 7c.,	591 71

Mr. Fisher moved to take up Senate message covering Senate bill No. 16.

Which was agreed to.

Message from the Senate by Mr. Brown, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof, to-wit:

Senate bill No. 16. A bill providing for the manner of procuring and the quality of subsistence stores and articles in the Quartermaster and Commissary departments, prescribing the duties of certain officers therein mentioned, and the punishment for the violation of the provisions of this act.

In which the concurrence of the House is respectfully requested.

Senate bill No. 16 was read a first time.

Mr. Fisher moved to suspend the rules and read the bill a second time now by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Bryan, Bundy, Chapman, Campbell, Cason, Collins of Whitley, Collins of Adams, Coombs, Coopridger, Dashiell, Dobbins, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Haworth, Hayes, Heffren, Henricks, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, McClurg, McLean, Moorman, Moss, Nebeker, Newman, Owens, Packard, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Stevenson, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—81.

No one voting in the negative.

So the rules were suspended, and Senate bill No. 16 was read a second time by its title, and,

On motion by Heffren,
Was referred to the Committee on Military Affairs.

Message from the Senate, by Mr. Brown, their Secretary.

MR. SPEAKER:

I am instructed by the Senate to inform the House of Representatives that the Senate has appointed Senators Conner, Claypool and Ray a Committee of Conference to act with a similar committee appointed by the House for the consideration of Senate bill No. 1, and the proposed amendments thereto.

The House then proceeded to the consideration of the special order for 10 o'clock, being the report of the select committee appointed by the House to inquire and report the order in which volunteer companies were reported to the Adjutant General.

Mr. Veatch made the following motion:

Recommit with instructions to strike from the list all companies

that had no roll filled when the committee made this investigation, and arrange all other companies in the order of their rolls.

Mr. Black moved to amend Mr. Veatch's motion as follows:

Amend by striking out all who have not filed muster roll, and advance those who have filed up to this date accordingly.

Message from the Senate by Mr. Brown, their Secretary:

MR. SPEAKER:

I am instructed by the Senate to inform the House of Representatives, that the Senate has concurred in the report of the Committee of Free Conference on the six regiment bill, Senate No. 1.

Mr. Fisher moved to pass informally the special order, now under consideration, to allow the Committee of Free Conference on Senate bill No. 1 to make their report to the House.

Which was agreed to.

Mr. Fisher, from the Committee of Free Conference on Senate bill No. 1, made the following report:

MR. SPEAKER:

The Committee of Free Conference to whom was referred Senate bill No. 1, have agreed upon the following, and direct me to report the same to the House for its action:

The Senate recedes from its disagreement to the House amendment in line 36, section 1.

The House recedes from its amendment to said section as to the proviso.

The Senate recedes from its disagreement to House amendment to section 2d, lines 10 and 11.

Senate recedes from its disagreement in section 4, line 6.

Senate recedes from its disagreement to section 5.

House recedes from its amendment called section 6.

House recedes from its amendment in line 6, section 1.

Senate recedes from its disagreement to House amendment, line 6, section 4.

Senate recedes from its disagreement to amendment as to last section.

Senate recedes from its disagreement to section 3.

House recedes from its amendment as to the title.

[Signed,]

B. F. CLAYPOOL,
M. M. RAY,
J. D. CONNER,
S. FISHER,
HORACE HEFFREN,
W. Q. GRESHAM.

Mr. Veatch moved that the House refuse to concur in the report of the Committee of Conference.

Which was agreed to.

Mr. Veatch moved that the Clerk inform the Senate of the refusal to concur, and request the appointment of another Committee of Free Conference.

Mr. Heffren moved the previous question,
Which was seconded by the House.

The motion was then adopted, and
Messrs. Veatch, Parrett and Robbins were appointed a Committee of Conference on the part of the House.

Message from the Senate, by Mr. Brown, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate has passed the following bill :

House bill No. 4. A bill making an appropriation to defray the expense of preparing to respond to the call of the President of the United States for troops,

With the following engrossed amendment of the Senate :

Add to section 1st as follows :

And that the same shall be drawn on the order of the Governor, specifying the articles, and from whom purchased, the services rendered, and by whom, and that said order shall be filed in the Audi-

tor's office before a warrant is issued therefor, except in such cases where the same may be deemed inexpedient by the Governor, but that he keep a detailed statement thereof, and report to the ensuing General Assembly all disbursements by him made out of said fund, specifying each item thereof.

Mr. Heffren moved that the House concur in the Senate amendment to House bill No. 4.

Which was agreed to.

Ordered, That the Clerk inform the Senate thereof.

Mr. Woodhull moved a reconsideration of the vote by which the House refused to concur in the report of the Committee of Free Conference on Senate bill No. 1.

Pending which, the House adjourned till 2 o'clock, P. M.

2 O'CLOCK P. M.

The House met.

The Speaker laid before the House the following communication from the Secretary of State :

OFFICE OF SECRETARY OF STATE, }
INDIANAPOLIS, May 4, 1861. }

HON. C. M. ALLEN,

Dear Sir : I am frequently asked "Why do you not forward to the Judges and Clerks of the Courts the copies of Fourteenth Indiana Reports, to which they are entitled to by law?" I desire, sir, to answer this interrogatory to you, and through you to the honorable Body over which you preside, in order that the legislation, if deemed necessary, may be had.

Prior to the time I came into office, and long before the books were complete and ready for delivery, my predecessor had, at various times, beginning on the 6th of July, and ending on the 30th of December, 1860, certified to the then Reporter of the Decisions of the Supreme Court, Mr. Tanner, accounts for the State's interest in said Reports, amounting in the aggregate to \$1,961 60; upon which accounts, I am informed, warrants issued, and the money was paid out of the State Treasury. Some time before the books were ready

for delivery, I called on the publishers, Messrs. Merrill & Co., who promptly informed me, that as publishers and owners of the copy-right, they should not deliver to the State her quota of the books until they were paid some eight or nine hundred dollars, which they alleged was due them as publishers and owners of the copy-rights, as per contract with Mr. Tanner.

When the books were complete and ready for delivery, which was not until the latter part of March last, I addressed a note to Messrs. Merrill & Co., also to Mr. Tanner, in substance requiring them to deliver at my office the 611 copies to which the State is entitled, but up to this time I have received no books.

Mr. Merrill, however, of the firm of Merrill & Co., has offered to deliver the books, if I would pay him, or direct the payment of the amount claimed by him to be due. I have refused to direct the payment of Mr. Merrill's claim, for the reason that the 611 copies of the work, at the printer's count, will only come to \$2,107 95—and \$1,961 60 having been paid, there can be but \$146 35 due any one on the work. Again, should anything be deducted from the appropriation for Supreme Court Reports for 1861, (being only \$2,000,) it must be seen at first glance, that there will not be enough in the treasury to pay for Fifteenth Indiana Reports. Indeed the entire sum appropriated will lack \$107 95 if the volume contains as many pages as Fourteenth Indiana Reports.

These facts, I submit to you, Mr. Speaker, and through you to the Legislature, in exculpation of myself for not furnishing the books, and that such legislation may be had as is deemed necessary to procure the books, and to prevent, in future, a like state of affairs.

Truly,

W. A. PEELLE,

Secretary of State.

Mr. Frasier moved to refer the communication to a select committee of five.

Which was agreed to.

Message from the Governor by his Secretary :

MR. SPEAKER :

I am directed by the Governor to inform the House that he has approved and signed

House bill No. 4. A bill making an appropriation to defray the expense of preparing to respond to the call of the President of the United States,

And has caused a copy of the same to be filed in the office of the Secretary of State.

The question being on Mr. Woodhull's motion to reconsider the vote by which the House refused to concur in the report of the Committee of Free Conference on Senate bill No. 1,

Messrs. Sherman and Gresham demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bingham, Bryan, Burgess, Chapman, Cameron, Campbell, Cason, Collins of Whitley, Coopriders, Crain, Dashiell, Dobbins, Edson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Goar, Gresham, Hall, Haworth, Heffren, Henricks, Howard, Hudson, Hurd, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lods, Lee, Lightner, McClurg, McLean, Moorman, Nebeker, Newman, Owens, Pitts, Randall, Roberts, Sloan, Sherman, Turner, Underwood, Warrum, Wells, Wilson, Woodhull, Woods and Mr. Speaker—58.

Those who voted in the negative were,

Messrs. Anderson, Black, Brett, Brucker, Collins of Adams, Combs, Epperson, Gifford, Hayes, Horton, Jenkinson, Moss, Mutz, Packard, Parrett, Prosser, Robbins, Smith of Bartholomew, Stevenson, Trier, Veatch and Williams—22.

So the motion to reconsider prevailed.

Mr. Gresham moved that the House now concur in the report of the Committee of Free Conference.

Mr. Underwood moved the previous question,
Which was seconded by the House.

Messrs. Jenkinson and Gresham demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Brucker, Bryan, Burgess, Cameron, Cason, Campbell, Collins of Whitley, Coopriders, Crain, Chapman, Dashiell, Dobbins, Edson, Erwin, Feagler, Ferguson, Fisher, Fleming, Fordyce, Fraley, Frasier, Goar, Gresham, Grover, Hall, Haworth, Henricks, Howard, Hudson, Hurd, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lods, Lightner, McClurg, McLean, Moorman, Nebeker, Newman, Owens, Pitts, Randall, Roberts, Sloan, Sherman, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—60.

Those who voted in the negative were,

Messrs. Black, Brett, Combs, Epperson, Gifford, Hayes, Horton,

Jenkinson, Moss, Mutz, Packard, Parrett, Prosser, Robbins, Smith of Bartholomew, Stevenson and Trier—17.

So the motion to concur in the report of the Committee of Conference prevailed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Jenkinson asked and obtained leave to introduce

House bill No. 31. A bill to procure additional arms for the citizen soldiery of the State of Indiana.

Which was read a first time.

Mr. Jenkinson moved to suspend the rules and read House bill No. 31 a second time now by its title.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Brett, Brucker, Burgess, Cameron, Cason, Collins of Whitley, Collins of Adams, Chapman, Coopridger, Dashiell, Edson, Erwin, Feagler, Fisher, Fleming, Ford, Fordyce, Frasier, Gifford, Goar, Gresham, Grover, Hall, Heffren, Henricks, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lods, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Packard, Parrett, Pitts, Prosser, Randall, Robbins, Roberts, Sloan, Sherman, Trier, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—64.

Those who voted in the negative were,

Messrs. Black, Bryan, Campbell, Combs, Epperson, Ferguson, Haworth, McClurg, and Smith of Bartholomew—9.

So the rules were suspended, and House bill No. 31 read a second time by its title.

Mr. Gresham offered the following amendment :

Amend by striking out "one million," and inserting "five hundred thousand."

And moved to refer the bill and amendment to the Committee on Ways and Means.

Which was agreed to.

E. S. H. J.—9.

Mr. Heffren offered the following resolution :

Resolved, That when the House adjourn it adjourn to meet at two o'clock P. M. on Tuesday next.

Which was adopted.

Mr. Heffren moved to take up Senate message containing a concurrent resolution of the Senate to appoint a committee to examine into the condition of provisions furnished to the troops at Camp Morton.

Which was agreed to.

Message from the Senate, by Mr. Brown, their Secretary :

MR. SPEAKER :

I am instructed by the Senate to inform the House of Representatives that the Senate has passed the following concurrent resolution thereof, to-wit :

Resolved, That a committee of five be appointed, two on the part of the Senate, and three on the part of the House, to examine into the condition and quality of the provisions furnished the men in Camp Morton, and in the Commissary Department.

And that the Senate has appointed Senators Hall and Conley said committee on the part of the Senate.

In which the concurrence of the House is respectfully requested.

Mr. Heffren moved the adoption of the concurrent resolution.
Which was agreed to.

Messrs. Heffren, Cason and Chapman were appointed the committee on the part of the House.

Mr. Black obtained leave of absence until Wednesday.

On motion,
The House adjourned till 2 o'clock on Tuesday next.

TUESDAY, 2 o'CLOCK, }
May 7, 1861. }

The House met.

On motion by Mr. Nebeker,
The reading of the journal was dispensed with.

Mr. Bundy asked, and by unanimous consent, obtained leave to record his vote against concurring in the report of the Committee of Free Conference on Senate bill No. 1.

By unanimous consent, Messrs. Prow, Polk and Knowlton recorded their votes in the negative, and Mr. Thomas in the affirmative on the same proposition.

Mr. Dobbins introduced the following communication from one of his constituents.

Which,

On motion,

Was referred to the Committee on the Judiciary.

DOVER HILL, INDIANA, }
May 4, 1861. }

HON. C. S. DOBBINS :

Dear Sir—I write you this brief note to call your attention to the necessity of enacting a law for a certain given case. You will see the "knob" when I state the case.

We have in our county jail two men (Templeton and Vandever,) arrested and committed without the privilege of bail, for organizing a band of guerrillas, or robbers, to operate during the present war. Their guilt is clearly proved. They had enlisted about fifteen others. Now, you perhaps know the Vandever stock, and Templeton is no better. We need a law to put down such men as have these evil intentions—levying war against the State—it can be nothing else. We must have such a law as will reach their case. We will arrest at least a dozen more. The proof is plain and beyond doubt. Will the Legislature give us a law to stop this lawless outrage, and preserve the lives and property of our citizens?
C. H. McCARTY.

Mr. Fisher moved to take up

House bill No. 29. A bill to amend the 9th section of an act entitled "an act to amend an act to authorize and regulate the business of general banking," passed March 3, 1855.

Which was agreed to.

On motion by Mr. Fisher,
The bill was laid on the table.

Mr. Crain moved to take up Senate messages.
Which was agreed to.

Message from the Senate by Mr. Brown, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bill thereof, to-wit:

Senate bill No. 5. A bill to define certain felonies, and to provide for the punishment of persons guilty thereof.

In which the concurrence of the House of Representatives is respectfully requested.

Senate bill No. 5 was read a first time and passed to a second reading.

Message from the Senate, by Mr. Brown, their Secretary.

Also, that the Senate has passed

Senate bill No. 2. A bill defining treason and the concealment of treason, and prescribing punishment thereof.

In which the concurrence of the House of Representatives is respectfully requested.

Senate bill No. 2 was read a first time and passed to a second reading.

Message from the Senate, by Mr. Brown, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following Senate bill, to-wit:

Senate bill No. 8. A bill providing for the appointment of deputies by certain public officers of this State, who have or may hereafter enter the military services of the United States, or of this State, and authorizing such deputies to perform all the duties of their principals.

In which the concurrence of the House of Representatives is respectfully requested.

Senate bill No. 8 was read a first time and passed to a second reading.

Message from the Senate, by Mr. Brown, their Secretary.

MR. SPEAKER:

I am instructed by the Senate to inform the House that the Senate has passed the following engrossed bill thereof, to-wit:

Senate bill No. 10. A bill to authorize incorporated cities and towns to execute bonds for the safety and delivery upon the demand of the Governor of the State of Indiana, of any and all arms distributed to such cities and towns for the use of the military organizations in such cities and towns, and providing when the same may take effect.

Also,—

Senate joint resolution No. 4. A joint resolution authorizing the Governor to employ medical aid for the soldiers in Camp Morton No. 2.

In which the concurrence of the House of Representatives is respectfully requested.

Senate bill No. 10 was read a first time and passed to a second reading.

Message from the Senate, by Mr. Brown, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has passed the following joint resolution thereof, to-wit:

Senate joint resolution No. 4. A joint resolution authorizing the Governor to employ medical aid for the soldiers in Camp Morton No. 2.

In which the concurrence of the House is requested.

The ayes and noes being taken on the passage of the concurrent resolution,

Those who voted in the affirmative were,

Messrs. Bingham, Brucker, Bryan, Bundy, Campbell, Cason, Collins of Adams, Combs, Crain, Davis, Dobbins, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Gifford, Goar, Hall, Haworth, Hayes, Henricks, Horton, Howard, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, McClurg, McLean, Moss, Mutz, Nebeker, Orr, Owens, Packard, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Robbins, Sherman, Smith of Bartholomew, Trier, Thomas, Turner, Veatch, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—69.

No one voting in the negative.

So the joint resolution passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Nebeker moved that the rules be suspended and Senate bill No. 8 be read a second time by its title now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Bingham, Brucker, Bryan, Bundy, Campbell, Cason, Collins of Adams, Combs, Crain, Davis, Dobbins, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Gifford, Goar, Hall, Haworth, Hayes, Henricks, Horton, Howard, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, McClurg, McLean, Moss, Mutz, Nebeker, Orr, Owens, Packard, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Robbins, Sherman, Smith of Bartholomew, Trier, Thomas, Turner, Veatch, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—69.

No one voting in the negative.

So the rules were suspended, and Senate bill No. 8 read a second time by its title.

On motion,
Referred to the Committee on the Judiciary.

Message from the Senate by Mr. Brown, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has passed the following concurrent resolution thereof, to-wit:

Resolved, By the Senate, (the House concurring therein,) That the sheriff of the Supreme Court be and he is hereby authorized to rent for the use of the Judges of the Supreme Court, three suitable rooms in the city of Indianapolis, for the use of the Judges during the coming session of the Supreme Court, the expense thereof to be paid out of the general fund of the State.

In which the concurrence of the House is respectfully requested.

On motion,
The concurrent resolution was adopted.

Ordered, That the Clerk inform the Senate.

Mr. Bundy moved to suspend the rules and read Senate bill No. 5 a second time now by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Bingham, Brucker, Bryan, Bundy, Campbell, Cason, Collins of Adams, Combs, Crain, Davis, Dobbins, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Gifford, Goar, Hall, Haworth, Hayes, Henricks, Horton, Howard, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, McClurg, McLean, Moss, Mutz, Nebeker, Orr, Owens, Packard, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Robbins, Sherman, Smith of Bartholomew, Trier, Thomas, Turner, Veatch, Warrum, Wells, Williams, Wilson, Woodhull and Mr. Speaker—67.

No one voting in the negative.

So the rules were suspended and Senate bill No. 5 was read a second time by its title.

Mr. Bundy offered the following amendment to Senate bill No. 5 :

A bill to define certain felonies, and to provide for the punishment of persons guilty of treason :

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That it shall be unlawful for any person or persons to do, or to advise, or counsel any other person to do, or to directly or indirectly assist, aid or abet in doing, or to advise or counsel any other person to aid, assist or abet in doing any or either of the things below in this section specified, that is to say :

1. To receive and accept a commission or appointment, in writing or otherwise, from any State or States, person or persons, or real or pretended government, engaged in war, rebellion, or insurrection against this State, or the government and laws thereof, or against the United States, or the government and laws thereof, with the intent in any manner directly or indirectly, to assist, or give aid and comfort to, any such person or persons, State or States, or real or pretended government in such war, rebellion, or insurrection.

2. To directly or indirectly engage in any insurrection or rebellion, or in forming any plot, combination, or conspiracy against this State or the government thereof, or for the purpose of resisting any law thereof.

3. To enlist in, or join, or to procure, or attempt to persuade or procure any other person to enlist in, or join the army of any enemy of this State or of the United States, or any body or combinations of persons, or States engaged in war, rebellion, or insurrection against this State, or the United States, or engaged in resisting, by force, the government, or laws of this State or of the United States.

4. To furnish, aid or abet in furnishing, or to advise or counsel any other person to furnish, or aid and abet in furnishing any arms, ammunition, or other implements or munitions of war, or any grain, hay, meat, breadstuffs, or other articles of food for the consumption of men or beasts, to any government, or pretended government, or any State or States, or any body or combination of persons engaged in war, rebellion, or insurrection against this State, or the United States, or in resisting by force the government or laws of this State, or of the United States.

5. To combine or conspire, or carry on, or maintain any correspondence with any person or persons, by letter or by personal interviews, or through the agency of any other person, or by any other means, with the view or intent to give aid and comfort to, or to betray this State or the United States, or any of the loyal inhabitants thereof, into the hands or power of any government or pretended

government, or State or States, or person or persons engaged in war, rebellion, or insurrection against this State, or the United States, or in resisting by force the government or laws of the State, or of the United States.

6. To build, construct, alter, repair, furnish, or fit out, or directly or indirectly and knowingly to aid or assist in building, constructing, altering, repairing, furnishing or fitting out any vessel, boat or water-craft of any description, to be used in transporting men or property, or in privateering, or otherwise making war in the service of any government, or pretended government or State, or States, or person, or combination of persons, engaged in war, rebellion, or insurrection against this State, or the United States, or in resisting by force the government or laws of this State, or the United States.

7. To sell, buy, barter, exchange, give, deliver or receive, or transport by land or water any arms, ammunitions, implements or munitions of war, [or any grain, hay, meat, breadstuffs, or other provisions, for the consumption and sustenance of man or beast,] with the intent that the same shall be, or with a knowledge that the same are intended to be immediately, or ultimately furnished to, or received by or for the use of, any body or combination of persons, or any State or States, or any person or persons residing in or acting as an officer or agent of any State or government, or pretended government, engaged in war, rebellion, or insurrection against this State, or the United States, or in resisting by force the government or laws of this State, or of the United States.

8. To go out of this State with the intention, or for the purpose of doing or advising or procuring to be done, any act the doing of which is by this act declared to be unlawful.

SEC. 2. Every person who shall violate any or either of the provisions of the first section of this act shall be deemed guilty of a felony, and upon conviction thereof shall be fined in any sum not exceeding — dollars, and be imprisoned at hard labor in the State Prison for any term not less than — nor more than — years, and be disfranchised and rendered incapable of holding any office during life: *Provided*, That if any person shall do any act or any number of acts in violation of this act, amounting separately or collectively to treason against this State, according to the definition of treason contained in the constitution of this State, such person, upon conviction thereof, shall suffer death by hanging by the neck.

SEC. 3. Prosecutions for violations of the provisions of this act shall not be barred by any statute of limitations nor by the lapse of any length of time.

SEC. 4. Every Judge of a court, Justice of the peace, Mayor or

Recorder of a city, Sheriff, Coroner, Marshal of a city, and Constable shall have power, and it shall be his duty to prevent violations of this act, and for that purpose every such officer shall have power, with or without process, to arrest persons and seize property any where within the jurisdiction of this State, and to call to his aid the power of his county, and any military force in the service of the State in such county.

SEC. 5. Whereas, several of the States of this Union are in armed rebellion and waging war against the government of the United States; and whereas, the peace of this State and the safety of her citizens are threatened and greatly endangered, there is therefore an emergency requiring this act to take effect and be in full force from and after its passage, and it shall be the duty of the Secretary of State to cause it to be forthwith published in the Indianapolis Journal and State Sentinel, and send a paper containing the same to the Clerk of the Circuit Court of each county bordering on the Ohio River, and to the Clerk of the Circuit Court of each county bordering on the Wabash River from Posey to Tippecanoe, inclusive.

Mr. Woodhull moved to refer the bill and amendmen to the Committee on the Judiciary.

Which was agreed to.

Mr. Bundy moved to suspend the rules and read Senate bill No. 2 a second time by its title now.

The ayes and noes being taken, under the Constitution,

Those who voted in the affirmative were,

Messrs. Bingham, Brucker, Bryan, Bundy, Campbell, Cason, Collins of Adams, Combs, Crain, Davis, Dobbins, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Gifford, Goar, Hall, Haworth, Hayes, Henricks, Horton, Howard, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Knowlton, Lods, Lane, Lee, Lightner, McClurg, McLean, Moss, Mutz, Nebeker, Orr, Owens, Packard, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Robbins, Sherman, Smith of Bartholomew, Trier, Thomas, Turner, Veatch, Warrum, Wells, Williams, Wilson, Woodhull and Mr. Speaker—67.

No one voting in the negative.

So the rules were suspended and Senate bill No. 2 was read a second time by its title, and

On motion,

Referred to the Committee on the Judiciary.

Mr. Bundy moved to suspend the rules and read Senate bill No. 10 a second time now by its title.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Bingham, Brucker, Bryan, Bundy, Campbell, Cason, Collins of Adams, Combs, Crain, Davis, Dobbins, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Gifford, Goar, Hall, Haworth, Hayes, Henricks, Horton, Howard, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, McClurg, McLean, Moss, Mutz, Nebeker, Orr, Packard, Parrett, Pitts, Polk, Prow, Prosser, Ragan, Robbins, Sherman, Smith of Bartholomew, Trier, Thomas, Turner, Veatch, Warrum, Wells, Williams, Wilson, Woodhull and Mr. Speaker—67.

No one voting in the negative.

So the rules were suspended and Senate bill No. 10 was read a second time by its title, and referred to Committee on the Judiciary.

Mr. Bundy, from the Committee on the Judiciary, asked and obtained leave to make the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 20, introduced by Mr. Henricks, entitled "an act to repeal an act entitled 'an act to authorize the construction of levees and drains,'" have had the same under consideration, and have directed me to report said bill back to the House, and recommend that it lie on the table. As Legislation on the subject appeared necessary, the Committee have instructed me to report the accompanying bill, and recommend its passage.

House bill No. 32. A bill supplemental to an act entitled "an act to authorize the construction of levees and drains," approved June 12, 1852.

Was read a first time and passed to a second reading.

Mr. Fisher asked and obtained leave to introduce

House bill No. 33. A bill appointing a Board of Subsistence Commissioners, and defining their duties and defining the duties of certain offices therein mention, and prescribing the punishment for the violation of the provisions of this act.

Which was read a first time and passed to a second reading.

Mr. Sherman moved to take up the Governor's message covering communication from Directors of the Northern State Prison.

Message from the Governor by his Secretary :

MR. SPEAKER:

I am directed by the Governor to lay before your Body the following message :

EXECUTIVE DEPARTMENT, }
May 3, 1861.

To the General Assembly of the State of Indiana :

The accompanying communication has been made to me by the Directors and Board of Control of the Northern Indiana State Prison, which I herewith transmit to the General Assembly, that such action may be taken as in your wisdom the exigencies of the case may demand.

O. P. MORTON,
Governor.

INDIANAPOLIS, May 2, 1861.

Gov. O. P. MORTON :

The undersigned Directors and Board of Control of the Northern Indiana State Prison, met at Michigan City on the 22d of March, and organized, having previously to that time been qualified.

We did not expect, under the appropriation, to be able to do any considerable amount of work in constructing or completing the Prison, but supposed that by rigid economy we would be able to maintain the one hundred and twenty-two convicts, (taking into consideration those whose term of service expires,) and do something in the work of the Prison. To do this, however, it was absolutely necessary for us to control the entire amount of the appropriation, and to appropriate every dollar of the same to the current expenses of the Prison, incurred under our administration. You are aware the entire amount of the appropriation amounted to \$25,000, for each of the years of 1861 and 1862, \$15,000 of which was to be applied in the payment of salaries and maintaining prisoners and \$10,000 for the purchase of materials. To our surprise, we found, a few days before our first meeting, that over \$6,200 of the appropriation had been paid out on order of our predecessors, leaving us \$18,800 with which to pay salaries, maintain prisoners, and furnish materials up to Feb. 1, 1862, at which time it is held the fiscal year commences, which sum is obviously largely inadequate for that purpose. By rigid economy the legal, legitimate and absolute expenses of the Prison per month can not be less than \$2,500, which sum only includes officers' salar-

ies, expense of guards and Board, gateage fees, and maintenance of prisoners; showing that the \$15,000 appropriation for that purpose, had we controlled the entire amount thereof, is just half sufficient. The \$10,000 appropriated for materials for each of the years of 1861 and 1862 may be sufficient for the construction of the halls and stone work now contemplated, and necessary. There are now in the Prison one hundred and twelve convicts, which number will be reduced on the first day of January next, to seventy-three. The entire number are, as a general rule, inefficient and worthless in all of the departments of labor and mechanism required in and about constructing said Prison, about twenty-five of whom are a worthless and sickly set, and were so when transported from Jeffersonville. We would like some law allowing us to return this last number to Jeffersonville, and exchange them for good mechanics, laborers, &c.

We could employ and maintain about one hundred and fifty convicts more, and without any additional expense of officers, or much additional guard fees, and greatly economise in provisions, supplies, &c. If an act can be passed at the present session allowing us Directors to select from the convicts of the Jeffersonville Prison this number of able-bodied mechanics and laborers, we confidently believe, with an appropriation of at least \$30,000 for each of the years 1861 and 1862, we can maintain the prisoners, pay salaries, &c., erect the walls, and put the Prison in an advanced state of completion. We do not ask for the appropriation of \$30,000 thinking that a less amount will do, but believing that sum absolutely necessary under the most rigid and economical calculation we can make. Unless some means of this character set forth can be devised and passed during the present session of the Legislature, we see no way of doing much towards the construction of the Prison, or the prudent use of the amount already appropriated. If the financial condition of the State will not allow the money to be paid out of the treasury, we have assurances of being able to effect a loan thereof on favorable terms if an appropriation is made.

Yours respectfully,

H. HANNA,
W. WILLIAMS,
M. S. ROBINSON.

On motion by Mr. Sherman,

The message and accompanying communication were referred to the Committee on Ways and Means.

Mr. Horton offered the following resolution:

WHEREAS, a member of this House has received a threatening communication, purporting to have come from an organization known as the "Vigilance Committee," of this city; *and whereas*, publications have been made in the newspapers of this city showing that

some of its objects are to determine, in usurpation of the authority of the State and Federal Governments, what articles are to pass through the depots of this city as legitimate commerce, and what are to be obstructed as contraband of war; also to establish a censorship over the press of the city, dictating what articles shall appear, and usurping the lawful authority in determining what sentiment shall constitute sedition or treason; also that said organization has had a tender of an organization of troops known as the "Dumont Guards," ostensibly to aid them in carrying out their designs;

And, whereas, it is understood, as well from intimations in the press as from other sources of information, that said organization proposes to establish a system of espionage upon the conduct of peaceful and respectable citizens, threatening their lives and the destruction of their property, if their conduct does not accord with the arbitrary standard erected by them;

And, whereas, in one instance, the Governor has found it necessary to protect the property of citizens of this city against the threats of the said "Vigilance Committee," by mounting a large guard of soldiers for the purpose; therefore,

Resolved, That a committee of five be appointed by this House, with power to send for persons and papers, and to examine witnesses under oath, touching the existence, membership and objects of said committee, and that said committee be instructed to sit from day to day until said examination is completed, and to report to the House the evidence that may be elicited.

Which,

On motion,

Was laid on the table.

Mr. Bingham offered the following resolution.

Resolved, That the injunction of secrecy resting upon the proceedings of the House of Representatives, of the 27th day of April ultimo, is removed so far as to admit the publication of the action with closed doors that day on the bill No. 12, and the joint resolution submitted by Mr. Lane.

Which was adopted.

Mr. Williams offered the following resolution:

Resolved, That the House, with the Senate concurring therein, adjourn on Thursday the 9th inst., to re-assemble on Tuesday the 28th inst., the members to receive no per diem during such recess, but to receive their mileage.

Mr. Smith of Bartholomew offered the following amendment:

Amend by inserting the "21st," instead of the "28th."

The resolution and amendment were referred to the Committee on the Judiciary.

Mr. Fisher offered the following instructions to the committee:

To inquire as to whether the time between the day of adjournment and of assembling will be counted as a part of the forty days which the Legislature is allowed to remain in session.

Mr. Veatch asked and obtained leave to introduce,

House bill No. 34. A bill fixing the terms of office of the Superintendent of the Hospital for the Insane, and the Asylums for the Deaf and Dumb and Blind, and providing when the elections therefor shall be held.

Which was read a first time.

Mr. Bundy moved to suspend the rules, and read the bill a second time by its title now.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Bryan, Bundy, Campbell, Cason, Collins of Adams, Combs, Crain, Davis, Dobbins, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Gifford, Goar, Hall, Haworth, Hayes, Henricks, Horton, Howard, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lods, Lane, Lee, Lightner, McClurg, McLean, Moss, Mutz, Nebeker, Orr, Owens, Packard, Parrett, Pitts, Polk, Prow, Ragan, Robbins, Sherman, Smith of Bartholomew, Trier, Thomas, Turner, Veatch, Warrum, Wells, Wilson, Woodhull, Woods and Mr. Speaker—65.

No quorum voting.

So the rules were not suspended.

On motion,

The House adjourned till 9 o'clock to-morrow morning.

WEDNESDAY MORNING, 9 o'clock, }
 May 8, 1861. }

The House met.

On motion by Mr. Gifford,
 The reading of the Journal was dispensed with.

Mr. Woods offered the following joint resolution:

Resolved, That the Committee on the Judiciary be requested to inquire into the propriety of preventing the transmission of telegraphic dispatches in cipher, during the present difficulties in our national affairs, and report by bill or otherwise.

Which was adopted.

REPORTS FROM STANDING COMMITTEES.

Mr. Bundy, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No. 5, entitled "a bill to define certain felonies, and provide for the punishment of persons guilty thereof," have had the same under consideration, and have directed me to report the bill back to the House without amendment, and recommend its passage.

Mr. Nebeker moved to concur in the report of the Committee.
 Which was agreed to.

Mr. Bundy moved to read Senate bill No. 5 a third time, now.
 Which was agreed to.

Senate bill No. 5. A bill to define certain felonies, and provide for the punishment of persons guilty thereof.

Was read a third time, and,

The question being, shall the bill pass?

Mr. Fisher moved to recommit the bill to the Committee on the

Judiciary, with instructions to strike out from the enacting clause, and insert the following :

SECTION 1. That it shall be unlawful for any person or persons to do, or to advise, or counsel any other person to do, or to directly or indirectly assist, aid or abet in doing, or to advise or counsel any other person to aid, assist or abet in doing any or either of the things below in this section specified, that is to say :

1. To receive and accept a commission or appointment, in writing or otherwise, from any State or States, person or persons, or real or pretended government, engaged in war, rebellion or insurrection against this State, or the government and laws thereof, or against the United States, or the government and laws thereof, with the intent in any manner, directly or indirectly, to assist or give aid and comfort to any such person or persons, State or States, or real or pretended government in such war, rebellion or insurrection.

2. To directly or indirectly engage in any insurrection or rebellion, or in forming any plot, combination or conspiracy against this State, or the government thereof, or for the the purpose of resisting any law thereof.

3. To enlist in, or join, or to procure, or attempt to persuade or procure any other person to enlist in, or join the army of any enemy of this State or of the United States, or any body or combinations of persons, or States engaged in war, rebellion, or insurrection against this State, or the United States, or engaged in resisting, by force, the government, or laws of this State or of the United States.

4. To furnish, aid or abet in furnishing, or to advise or counsel any other person to furnish, or aid and abet in furnishing any arms, ammunition, or other implements or munitions of war, or any grain, hay, meat, breadstuffs, or other articles of food for the consumption of men or beasts, to any government, or pretended government, or any State or States, or any body or combination of persons engaged in war, rebellion, or insurrection against this State, or the United States, or in resisting by force the government or laws of this State, or of the United States.

5. To combine or conspire, or carry on, or maintain any correspondence with any person or persons, by letter or by personal interviews, or through the agency of any other person, or by any other means, with the view or intent to give aid and comfort to, or to betray this State or the United States, or any of the loyal inhabitants thereof, into the hands or power of any government or pretended government, or State or States, or person or persons engaged in war, rebellion, or insurrection against this State, or the United States, or

in resisting by force the government or laws of the State, or of the United States.

6. To build, construct, alter, repair, furnish, or fit-out, or directly or indirectly and knowingly to aid or assist in building, constructing, altering, repairing, furnishing or fitting out any vessel, boat or water-craft of any description, to be used in transporting men or property, or in privateering, or otherwise making war in the service of any government, or pretended government or State, or States, or person, or combination of persons, engaged in war, rebellion, or insurrection against this State, or the United States, or in resisting by force the government or laws of this State, or the United States.

7. To sell, buy, barter, exchange, give, deliver or receive, or transport by land or water any arms, ammunitions, implements or munitions of war, or any grain, hay, meat, breadstuffs, or other provisions, for the consumption and sustenance of man or beast, with the intent that the same shall be, or with a knowledge that the same are intended to be immediately, or ultimately furnished to, or received by or for the use of, any body or combination of persons, or any State or States, or any person or persons residing in or acting as an officer or agent of any State or government, or pretended government, engaged in war, rebellion, or insurrection against this State, or the United States, or in resisting by force the government or laws of this State, or of the United States.

8. To go out of this State with the intention, or for the purpose of doing or advising or procuring to be done, any act the doing of which is by this act declared to be unlawful.

SEC. 2. Every person who shall violate any or either of the provisions of the first section of this act shall be deemed guilty of a felony, and upon conviction thereof shall be fined in any sum not exceeding \$10,000, and be imprisoned at hard labor in the State Prison for any term not less than one nor more than twenty-one years, and be disfranchised and rendered incapable of holding any office during life: *Provided*, That if any person shall do any act or any number of acts in violation of this act, amounting separately or collectively to treason against this State, according to the definition of treason contained in the constitution of this State, such person, upon conviction thereof, shall suffer death by hanging by the neck.

SEC. 3. Prosecutions for violations of the provisions of this act shall not be barred by any statute of limitations nor by the lapse of any length of time.

SEC. 4. Every Judge of a court, Justice of the peace, Mayor or Recorder of a city, Sheriff, Coroner, Marshal of a city, and Constable shall have power, and it shall be his duty to prevent violations of

this act, and for that purpose every such officer shall have power, with or without process, to arrest persons and seize property any where within the jurisdiction of this State, and to call to his aid the power of his county, and any military force in the service of the State in such county.

SEC. 5. Whereas, several of the States of this Union are in armed rebellion and waging war against the government of the United States; and whereas, the peace of this State and the safety of her citizens are threatened and greatly endangered, there is therefore an emergency requiring this act to take effect and be in full force from and after its passage, and it shall be the duty of the Secretary of State to cause it to be forthwith published in the Indianapolis Journal and State Sentinel, and send a paper containing the same to the Clerk of the Circuit Court of each county bordering on the Ohio River, and to the Clerk of the Circuit Court of each county bordering on the Wabash River from Posey to Tippecanoe, inclusive.

Mr. Gresham moved to lay the motion and instructions on the table.

Which was agreed to.

Mr. Turner asked, and by unanimous consent, obtained leave to introduce the following resolution:

Resolved, That the bill be recommitted to the Judiciary Committee with instructions to so amend as to prohibit the sale of contraband goods to such States as have refused to respond to the call of the President for troops.

Mr. Bundy moved to lay the resolution on the table.

Which was agreed to.

On motion,

The House adjourned till 2 o'clock P. M.

2 O'CLOCK, P. M.

The House met.

The House resumed the consideration of Senate bill No. 5.

The question being, shall the bill pass?

Mr. Haworth moved the previous question.
Which was seconded by the House.

Those who voted in the affirmative were,

Messrs. Anderson, Black, Bryan, Bundy, Cameron, Campbell, Cason, Collins of Adams, Chapman, Coopridier, Crain, Dashiell, Davis, Dobbins, Erwin, Feagler, Ferguson, Fisher, Fleming, Fraley, Goar, Gresham, Hall, Harvey, Haworth, Henricks, Hopkins, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Lods, Lane, Lee, Lightner, McClurg, Moorman, Mutz, Nebeker, Orr, Packard, Parrett, Pitts, Prow, Randall, Roberts, Sloan, Sherman, Smith of Bartholomew, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—66.

Those who voted in the negative were,

Messrs. Gifford, Howard, Kitchen, Polk and Ragan—5.

Present and refusing to vote, Messrs. Ford and Hayes—2.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

HOUSE BILLS ON THIRD READING.

House bill No. 30. A bill making appropriations for the Hospital for the Insane.

Was read a third time, and

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Black, Bryan, Bundy, Campbell, Cason, Collins of Adams, Coopridier, Crain, Chapman, Dashiell, Davis, Dobbins, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fraley, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Henricks, Hopkins, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lods, Lane, Lee, Lightner, McClurg, Moorman, Moss, Mutz, Nebeker, Orr, Packard, Parrett, Pitts, Prow, Ragan, Randall, Roberts, Sloan, Sherman,

Smith of Bartholomew, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Warrum, Wells, Williams, Wilson, Woodhull and Woods—71.

No one voting in the negative.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Fisher moved to take up House bill No. 33.
Which was agreed to.

House bill No. 33. A bill appointing a Board of Subsistence Commissioners, and defining the duties of certain officers therein mentioned, and prescribing the punishment for the violation of the provisions of this act.

Was read a second time and referred to the Committee on Ways and Means.

Mr. Stotsenburg, from the Committee on the Organization of Courts of Justice, made the following report:

MR. SPEAKER:

The Committee on the Organization of Courts, to whom was referred House bill No. 18, introduced by Mr. Goar, of Hamilton and Tipton, would respectfully represent that they have examined the same, and find it makes a change in the present law for the purpose of preventing a conflict between the Circuit and Common Pleas Courts in Tipton county, and they therefore report said bill back to the House, and recommend its passage.

Which was concurred in.

House bill No. 18. A bill to amend the 14th section of an act entitled "an act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859.

Which was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Black, Bryan, Cameron, Campbell, Cason, Collins of Adams, Combs, Coopridger, Crain, Chapman, Davis, Dobbins, Epperson, Erwin, Ferguson, Fisher, Fleming, Ford, Gifford, Goar, Hall, Haworth, Hayes, Henricks, Hopkins, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, McClurg, Moorman, Moss, Mutz, Nebeker, Orr, Owens, Packard, Parrett, Pitts, Polk, Prow, Ragan, Randall, Roberts, Sloan, Sherman, Smith of Bartholomew, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood Veatch, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—74.

No one voting in the negative,

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Cason, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No. 2, introduced by Mr. Beeson, "defining treason and the concealment of treason, and prescribing punishment therefor," have had the same under consideration, and herewith report the same back and recommend its passage.

Which was concurred in.

Senate bill No. 2. A bill defining treason and concealment of treason, and prescribing punishment therefor.

Was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Black, Bryan, Bundy, Cameron, Campbell, Cason, Collins of Adams, Combs, Coopridger, Crain, Chapman, Dashiell, Davis, Dobbins, Epperson, Feagler, Ferguson, Fisher, Fleming, Ford, Gifford, Goar, Hall, Harvey, Haworth, Hayes, Henricks, Hopkins, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, McClurg, McLean, Moorman, Moss.

Mutz, Nebeker, Orr, Owens, Parrett, Pitts, Polk, Prow, Ragan, Randall, Roberts, Sloan, Sherman, Smith of Bartholomew, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull, Woods, and Mr. Speaker.—76.

No one voting in the negative.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Veatch, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 13, introduced by Mr. Jones of Vermillion, would report that they have had the same under consideration and ask leave to return the same to the House, without any recommendation as to its action thereon.

Which was concurred in, and

House bill No. 13 was referred to the Committee on the Affairs of the State's Prison.

Mr. Woodhull, from the Judiciary Committee, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No. 10, entitled "an act to authorize incorporated cities and towns to execute bonds for the safety and delivery upon the demand of the Governor of the State of Indiana, of any and all arms distributed to such cities and towns for the use of the military organizations in such cities and towns, and providing when the same may take effect," have had the same under consideration, and instruct me to report it back to the House and recommend its passage.

Which was concurred in.

Senate bill No. 10. A bill to authorize incorporated cities and towns to execute bonds for the safety and delivery, upon the demand of the Governor of the State of Indiana, of any and all arms distributed to such cities and towns for the use of the military organi-

zations in such cities and towns, and providing when the same may take effect.

Was read a third time, and

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Black, Brucker, Bryan, Bundy, Cameron, Campbell, Cason, Collins of Adams, Combs, Coopridier, Chapman, Dashiel, Davis, Epperson, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Gifford, Goar, Hall, Harvey, Haworth, Hayes, Henricks, Hopkins, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, McClurg, Moorman, Moss, Mutz, Nebeker, Orr, Parrett, Pitts, Prow, Randall, Roberts, Sherman, Smith of Bartholomew, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—71.

No one voting in the negative.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Bundy, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred a resolution of this House, with instructions to inquire when the present session of the General Assembly must terminate, according to the constitution, have duly considered the matter and are of the opinion that the present session must terminate at the expiration of forty days from the time it commenced, and that in estimating the time not only Sundays, but all other days intervening, whether business days or not must be counted.

Which was concurred in.

Mr. Veatch, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred divers petitions and bills in relation to stay of executions, have had the subject under

consideration and direct me to report bill No. 15, introduced by Mr. Moss, and bill No. —, which is offered by the committee as covering in their judgment, the relief asked for; and they recommend the passage of said bills, as, in their opinion, the present crisis demands such relief.

House bill No. 35. A bill to amend section eighty-seven of an act entitled "an act providing for the election of justices of peace and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852.

Was read a first time, and passed to a second reading.

House bill No. 15. An act to amend the four hundred and twentieth section of an act entitled "an act to revise, simplify and abridge the rules, practice and pleadings and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleadings and practice, without distinction between law and equity," approved June 18, 1852.

Was,

On motion by Mr. Stotsenburg,
Made the special order for to-morrow morning at 10 o'clock.

Mr. Allen moved to take up Senate bill No. 6.
Which was agreed to.

Sanate bill No. 6. A bill to authorize the boards of commissioners of the several counties of the State of Indiana and the authorities of any incorporated city or town in said State to make appropriations in certain cases, and to legalize certain appropriations therein specified.

Was read a third time, and

On motion by Mr. Veatch,
Laid on the table.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Edson,
The House took a recess for half an hour.

4 o'clock, P. M.

The House met.

No quorum being present,

On motion,

The House adjourned till 9 o'clock to-morrow morning.

THURSDAY MORNING, 9 o'clock, }
May 9, 1861.

The House met.

On motion,

The reading of the journal was dispensed with.

PETITIONS, MEMORIALS, REMONSTRANCES AND RESOLUTIONS.

Mr. Orr presented a memorial containing the proceedings and resolutions of a Union meeting of the citizens of Delaware county.

Which was laid on the table.

On motion by Mr. Fisher,

The members of the Committee of Ways and Means were granted leave of absence.

Mr. Robbins offered the following concurrent resolution:

Resolved, That the House, the Senate concurring, will adjourn on to-morrow the 10th inst., to meet on the 21st of this month.

The question being on the adoption of the concurrent resolution,

Mr. Prosser moved the previous question.

Which was seconded by the House.

Messrs. Parrett and Underwood demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bingham, Black, Brett, Brucker, Bryan, Bundy, Cason, Collins of Adams, Chapman, Combs, Coopridier, Crain, Dashiell, Davis, Dobbins, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Ford, Fordyce, Fraley, Gifford, Goar, Gresham, Hall, Harvey, Henricks, Holcomb, Hopkins, Howard, Jenkinson, Jones of Tippecanoe, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lee, Lightner, McLean, Nebeker, Newman, Orr, Owens, Packard, Pitts, Polk, Prosser, Randall, Robbins, Sherman, Stevenson, Trier, Thomas, Thompson, Warrum, Wells, Woodhull and Mr. Speaker—64.

Those who voted in the negative were,

Messrs. Anderson, Campbell, Haworth, Hayes, Hudson, Lane, Moorman, Moss, Parrett, Prow, Ragan, Roberts, Sloan, Stotsenburg, Underwood, Veatch, Williams and Wilson—18.

So the concurrent resolution was adopted.

Ordered, That the Clerk inform the Senate thereof.

Mr. Polk offered the following resolutions :

Resolved, That we respect the sympathies of the Border States, for the reason that their institutions and interest are kindred to the Confederate States, and, so far as the State of Indiana has a right, we will recognize a neutral position on their part so long as the same is assumed and adhered to in good faith.

Resolved, That neutrality on the part of Kentucky will avert the dread evils of civil war from our border, and when the resources of the contending sections have been exhausted she will become an influential pacificator in our troubles.

Mr. Gresham moved to reject the resolutions.

Mr. Polk asked leave to withdraw his resolution.

Which was not agreed to.

The question being on the motion to reject,

Mr. Nebeker moved the previous question.

Which was seconded by the House.

The main question was ordered to be put.

Messrs. Fisher and Gresham demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Brett, Brucker, Bryan, Bundy, Campbell, Cason, Collins of Adams, Combs, Coopridger, Crain, Chapman, Dashiell, Dolbins, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Ford, Fordyce, Fraley, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Henricks, Holcomb, Hopkins, Howard, Hudson, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Knowlton, Lods, Lane, Lee, McClurg, McLean, Moorman, Moss, Nebeker, Newman, Orr, Owens, Packard, Parrett, Pitts, Prosser, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Underwood, Veatch, Warrum, Wilson, Woodhull, Woods and Mr. Speaker—78.

No one voting in the negative.

Mr. Polk was excused from voting.

On motion,

Mr. Robbins was granted leave to record his vote on the passage of Senate bill No. 5.

Mr. Robbins voted in the affirmative.

On motion,

Messrs. Hurd, Turner and Heffren were granted leave of absence.

The hour having arrived for the consideration of the special order, being House bill No. 15.

Mr. Veatch, from the Judiciary Committee, made the following report on same subject:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 27, introduced by Mr. Williams, and House bills Nos. 23 and 28, introduced by Mr. Stotsenburg, have had the same under consideration, and report the same back to the House and recommend their passage.

Mr. Parrett moved to lay the report of Judiciary Committee, with

House bills Nos. 15, 23, 27, 28, on the table, and print two hundred copies.

Which was agreed to.

Mr. Jones of Vermillion, from the Penitentiary Committee, made the following report:

MR. SPEAKER:

The committee to whom was referred House bill No. 13, have had the same under consideration, and have directed me to amend the same as follows, and when so amended to recommend its passage:

Amend section four by striking out "twenty," in the second line, and insert "fifteen."

Amend section five by striking out the first two lines, and insert in the third line the word "and." Add to said section the following: "and to purchase material as in the fourth section of this act is provided."

Mr. Jenkinson moved to recommit House bill No. 13 to Committee on Penitentiary, with instructions to strike out all after the enacting clause, and insert the following:

That the Directors of the Northern Prison have the right to select from the Southern State Prison two hundred convicts out of any convicts whose labor is not now contracted for at the Southern Prison, and remove them to the Northern Prison, to enable the said Directors of the Northern Prison to complete the same with the labor of said convicts.

SEC. 2. That the Directors and Warden of the Southern State Prison be authorized to employ the remainder of the convicts not under contract in the manufacture of any articles they may deem for the interest of the State, and have full power and authority to procure machinery and materials for such manufacture.

SEC. 3. That the sum of fifteen thousand dollars be, and the same is hereby appropriated to enable the Directors and Warden of the Northern Prison to subsist the prisoners in said prison, and purchase materials for the completion of the work.

SEC. 4. That the sum of fifteen thousand dollars be, and the same is hereby appropriated to enable the Directors and Warden of the Southern State Prison to procure machinery and materials to employ the prisoners in said prison in such manufacture as would be for the interest of the State.

SEC. 5. In the opinion of the General Assembly an emergency exists for the immediate passage of this act; the same shall be in force from and after its passage.

Mr. Veatch moved to recommit with the following instructions :

There shall be appointed by the Governor a competent and skillful person to act as superintendent of construction of the new State Prison, now in progress of erection, who shall remain on the ground and give special directions as to the kind and quality of materials furnished and to be used in the erection of buildings, and other work belonging to the State. He shall lay out and direct the workmen employed on the same, but the person so employed shall not have any charge or control of the convicts except so far as may be necessary to them when employed on the buildings, or on work pertaining thereto.

The person so employed shall receive as a compensation for his services, the sum of ———, to be paid quarterly, out of any money appropriated for the erection of buildings, &c.

Mr. Veatch offered the following instruction to the committee :

Further amend so as to authorize the Governor to employ the prisoners in the manufacture of arms and munitions of war.

Mr. Parrett offered the following instructions to the committee :

That the committee inquire into the expediency of so amending the bill as to require that convicts, in part or altogether, hereafter be taken to the Northern instead of the Southern Prison.

Mr. Stotsenburg offered the following instructions :

Amend further by inserting a section providing from what counties, or parts of the State hereafter prisoners shall be sent to the Northern Prison, and from what counties to the Southern Prison.

Mr. Jenkinson moved to refer the bill and instructions to a select committee.

Which was agreed to.

Mr. Edson moved to take up Senate messages.

Which was agreed to.

Message from the Senate, by Mr. Brown, their Secretary :

MR. SPEAKER :

I am instructed by the Senate to inform the House of Representatives that the Senate has passed the following bill of the House, to-wit :

House bill No. 21. A bill for the organization and regulation of the Indiana militia, prescribing penalties for violations of said regulations, providing for the election and appointment of officers defining the duties of military and civil officers, and penalties for the neglect or violation thereof, providing for courts martial, councils of administration and military encampments, making appropriations for the support of said militia, repealing all laws heretofore enacted on that subject, and declaring an emergency for the immediate taking effect thereof.

With the following engrossed amendments of the Senate.

In which the concurrence of the House is respectfully requested.

Engrossed amendments of the Senate to House bill No. 21 :

1. Amend section 8, by adding after the word "age," in second line, the words following, to-wit : "And under forty-five."
2. After the word "clerk" in the 12th line of section 9, add these words : "Who shall be elected by the company."
3. Strike out in 2d line of section 10 the word "battalion," and insert instead thereof the word "regiment."
4. Strike out of 11th section the words "such officers to be selected from the regiment."
5. Strike out section seventeen (17.)
6. Add the following section :

SEC. 101. It is hereby made the duty of the Secretary of State to have published with this act the "Rules and Articles of War," and so much of the "General Regulations for the Government of the Army of the United States," as may be directed by the Governor, and have ten thousand copies of the same published in pamphlet form and distributed *pro rata* to several counties at the time and in the manner of distributing the Laws, or sooner if possible.

7. Add the following section :

SEC. 102. The Commander-in-Chief shall annually, on the first day of January, report to the Treasurer of State the amount of the military fund drawn on his warrant, the amount expended and the items of expenditure. The Colonel of each regiment shall make a like report to the county treasurer of the amount drawn on his warrant, and the Captain of each company shall make a like report of the amount of the fund distributed to his company to the county treasurer, who shall immediately make a full report thereof to the Treasurer of State.

In this act shall be :

Provided, That nothing so construed as to repeal or modify any provisions of an act passed at the present session of the General Assembly, entitled "an act to provide for the employment of six regiments of volunteers for the protection of the property and citizens of the State, and making provisions for the organization and equipment of the same, and fixing the compensation of the officers and men comprising said force, and procuring arms therefor," approved by the Governor, May 1861.

8. Amend by adding to the 97th section :

Provided, That nothing contained in this act shall be so construed as to prohibit the Governor from making distribution of arms to incorporated towns and cities, according to the provisions of an act passed at the present session of this General Assembly.

9. Amend the title by inserting in the proper place, "saving certain acts therein named from the operation of this act."

Mr. Sherman moved that the House concur in the amendments of the Senate to House bill No. 21.

Mr. Gresham moved the previous question,
Which was seconded by the House.

Messrs. Jenkinson and Robbins demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Anderson, Brucker, Bryan, Bundy, Collins of Whitley, Crain, Dashiell, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fordyce, Goar, Gresham, Hall, Harvey, Henrieks, Hopkins, Hudson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne,

Kendrick, Lane, Lee, McClurg, McLean, Moorman, Nebcker, Newman, Orr, Parrett, Pitts, Randall, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stotsenburg, Thomas, Thompson, Underwood, Veatch, Warrum, Williams, Wilson, Woodhull, Woods and Mr. Speaker—51.

Those who voted in the negative were,

Messrs. Atkinson, Bingham, Black, Brett, Campbell, Collins of Adams, Combs, Coopridier, Davis, Dobbins, Fleming, Gifford, Hawthorth, Hayes, Holcomb, Horton, Howard, Jenkinson, Knowlton, Mutz, Owens, Packard, Polk, Prow, Ragan, Robbins, Roberts, Stevenson, Trier and Wells—30.

So the amendments of the Senate were concurred in.

Ordered, That the Clerk inform the Senate thereof.

Mr. Gresham, from the Committee on Military Affairs, made the following report:

MR. SPEAKER:

The Committee on Military Affairs, to whom was referred House bill No. 7, an act to authorize the formation of a military force on the border of the State, have had the same under consideration, and instructed me to report the same back to the House with the recommendation that further legislation is unnecessary.

The report was concurred in.

Mr. Gresham, from the Committee on Military Affairs, made the following report:

MR. SPEAKER:

The Committee on Military Affairs, to whom was referred House bill No. 1, an act declaring and defining what shall be treason against the State of Indiana, and providing the punishment therefor; declaring who are accessories to such crime, and declaring the punishment therefor; have had the same under consideration, and directed me to report the same back to the House, with the recommendation that further legislation on the subject is unnecessary.

The report was concurred in and House bill No. 1 laid on the table.

E. S. H. J.—11.

Mr. McLean, from a select committee, made the following report :

MR. SPEAKER :

The select committee of five, to whom was referred House joint resolution No. 5, being a joint resolution appointing a committee of the Senate and House to visit and confer with the Legislature of Kentucky; have had the same under consideration, and have directed me to report the same back to the House, and recommend that the same lie on the table.

Which was concurred in, and the joint resolution laid on the table.

Mr. Orr, from the Committee on Rights and Privileges of the Inhabitants of the State, made the following report :

MR. SPEAKER :

The Committee on Rights and Privileges, to whom was referred House bill No. 16, an act to prevent white persons who have intermarried with negroes, mulattoes or persons of color, from testifying in cases where any other white persons, or the State of Indiana is a party; have had the same under consideration, and direct me to report: That in view of the fact that a marriage of the nature referred to is illegal and void, and that there can be no such intermarriage (legally) in the State of Indiana under our present laws; and your committee would further say that any white person who would debase themselves so low as to intermarry with a mulatto or negro, should not be debased any lower by an act of the Legislature, therefore your committee, in consequence of these facts, recommend that the bill be indefinitely postponed.

The question being on concurring in the report of the committee,

Messrs. Owens and Roberts demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bundy, Epperson, Haworth, Hopkins, Hudson, Lane, Lee, McClurg, Moorman, Nebeker, Newman, Orr, Randall, Sherman, Thomas, Underwood, Wilson and Woods—18.

Those who voted in the negative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brett, Brucker, Bryan, Campbell, Collins of Whitley, Collins of Adams, Coombs, Coopridge, Dashiell, Davis, Dobbins, Edson, Erwin, Feagler, Ferguson, Fisher, Fleming, Fordyce, Gifford, Goar, Gresham, Hall, Harvey, Hayes, Henricks, Holcomb, Horton, Howard, Jenkinson, Jones

of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Knowlton, Mutz, Owens, Packard, Parrett, Pitts, Polk, Prow, Ragan, Robbins, Roberts, Sloan, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thompson, Warrum, Williams, Woodhull and Mr. Speaker—58.

So the report was not concurred in.

On motion,
House bill No. 16 was referred to the Committee on the Judiciary.

The Speaker announced the select committee on Mr. Jenkinson's motion on House bill No. 13 as follows :

Messrs. Fisher, Jenkinson, Sherman, Veatch and McLean.

On motion by Mr. Robbins,

Resolved, That this House instruct the Committee of seven, to whom sundry resolutions have been referred, to report upon the same to this House, to-morrow, the 10th inst., at eleven o'clock, A. M.

On motion,
The House adjourned till 2 o'clock, P. M.

2 O'CLOCK, P. M.

House met.

By unanimous consent,
Mr. McClurg changed his vote to the negative on the motion to concur in the report of the Committee on Rights and Privileges on House bill No. 16.

Mr. Fisher, from the Committee of Ways and Means, made the following report :

MR. SPEAKER :

The Committee of Ways and Means, to whom was referred House bill No. 33, have had the same under consideration, and have directed me to report the same back with the following amendment, to-wit :

Fill the blank in section one by inserting the names of Calvin Fletcher, of the County of Marion, Lucius Ryce, of the County of Vigo, Simeon S. Stansifer, of the County of Bartholomew.

Amend section 7 by filling the blank with "three dollars;" and when so amended recommend its passage.

The report was concurred in and the amendments adopted.

On motion,

House bill No. 33. A bill appointing a Board of Subsistence Commissioners, and defining their duties, and defining the duties of certain officers therein mentioned, and prescribing the punishment for the violation of the provisions of this act,

Was considered engrossed and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brucker, Bryan, Bundy, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopridner, Crain, Dashiell, Davis, Dobbins, Edson, Erwin, Feagler, Ferguson, Fisher, Ford, Fordyce, Gifford, Goar, Harvey, Haworth, Hayes, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kitchen, Lods, Lane, Lee, McClurg, McLean, Moorman, Mutz, Nebeker, Newman, Orr, Owens, Parrett, Polk, Prow, Ragan, Randall, Robbins, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Underwood, Veatch, Warrum, Woodhull, Woods and Mr. Speaker—69.

No one voting in the negative.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

The title of the bill was read and approved.

Mr. Veatch, from the Committee on the Judiciary, made the following Report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 24, to amend the School Law, have had the same under consideration,

and direct me to report the same back to this House and recommend its passage.

Which was concurred in.

Mr. Yeatch moved that House bill No. 24 be considered engrossed and read a third time now.

Which was agreed to.

House bill No. 24. A bill to amend sections 38, 126, 137 and 162, and to repeal section 138 of an act entitled "an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith." Approved March 11, 1861.

Was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brucker, Bryan, Bundy, Campbell, Collins of Adams, Combs, Coopridger, Crain, Dashiell, Davis, Dobbins, Edson, Erwin, Feagler, Ferguson, Fisher, Ford, Fordyce, Gifford, Goar, Gresham, Harvey, Haworth, Hayes, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kitchen, Knowlton, Lods, Lane, Lee, McClurg, McLean, Moorman, Mutz, Nebeker, Newman, Owens, Parrett, Pitts, Polk, Prow, Ragan, Randall, Robbins, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Underwood, Veatch, Warrum, Wilson, Woodhull, Woods and Mr. Speaker—73.

No one voting in the negative.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Parrett offered the following resolution :

Resolved, That the Secretary of State be directed to have

House bill No. 21. A bill for the organization and regulation of the Indiana militia, prescribing penalties for violation of said regulations, and repealing all laws heretofore enacted on that subject,

Published in the Daily Indianapolis State Sentinel and Journal.

Mr. Stotsenburg moved to lay the resolution on the table.
Which was agreed to.

Mr. Hayes asked and obtained leave to present the following protest:

The undersigned protests against the action of this House on yesterday in passing Senate bill No. 5, entitled "an act defining certain felonies, and prescribing punishment therefor," for the following reason:

While I endorse *every sentiment* contained in said bill, and *know* that no people in Indiana will take more pleasure in obeying its provisions than the people of Madison County, including myself, I must say that I look upon said act as being an act of usurpation on the part of our State.

The bill, in my opinion regulates commerce between this State and the other States of this Union. The Constitution of the United States declares that "The Congress shall have power; * * to regulate commerce with foreign nations and among the several States." Believing, therefore, that this Legislature had no power to enact such a law. I desire that this may go upon the Journal as a reason why I took no part in the enactment of such law.

Mr. Holcomb moved to take up the report of the Select Committee on the Resolution of Inquiry in the order of acceptances, and the arrangement of volunteer companies in the office of the Adjutant General.

Which was agreed to.

Mr. Holcomb offered the following resolution:

Resolved, That the Adjutant General be requested to furnish to this House instantler, a list of companies that have been organized into the six regiments of State troops.

Which was decided out of order.

Mr. Knowlton moved to recommit with instructions to examine the books of the Adjutant General, and report to-morrow morning at 9 o'clock, whether the companies organized under the Six Regiment Bill have been accepted in pursuance of the provisions of said act.

Mr. Underwood moved to lay the whole subject on the table.
Which was not agreed to.

Mr. Bingham offered the following amendment to the motion of Mr. Knowlton, which was accepted by him:

Amend by adding, "and report the companies, their captains and

counties from which they are sent, if said five regiments have been organized."

The question being on the motion to recommit with instructions,

Mr. Stotsenburg moved the previous question,
Which was seconded by the House.

The motion to recommit with instructions prevailed.

Mr. Moss asked and obtained leave of absence.

Message from the Senate, by Mr. Brown, their Secretary :

MR. SPEAKER :

I am instructed by the Senate to inform the House of Representatives that the Secretary, in communicating the amendments of the Senate to House bill No. 21, omitted the following :

Amend section seven as follows: Strike out the word "annually" and insert instead thereof, "annually for the years 1861 and 1862,"

In which the concurrence of the House is respectfully requested.

The amendment of the Senate was adopted by unanimous consent.

Ordered, That the Clerk inform the Senate thereof.

Mr. Smith of Bartholomew, from a Select Committee, made the following report:

MR. SPEAKER :

The Select Committee of five, to whom was referred House bill No. 11, introduced by Mr. Stotsenburg of Floyd, entitled an act to provide compensation for Judges performing the official duties of other Judges, would represent that they have examined the same, and believe, after careful consideration, that Judges who, under the laws of the State, are called by counties to perform the business of other Judges, ought certainly to be paid for such services, but they think that the county into which the Judge is compelled to go ought to pay for the services rendered. We, therefore, respectfully report the bill back to the House with the following amendment, viz :

By striking out all after the word "paid" in section one, in the ninth line, and inserting in lieu thereof the following: "Out of the

county treasury wherein said special term is held, by the treasurer of such county, upon the presentation to him of an itemized account of the services of such Judge, certified to be correct by the Clerk of the Circuit Court,"

And when so amended, they recommend its passage.

Mr. Allen moved to recommit the bill, with instructions to so amend as that in all cases where the Judge is incompetent to try the same, the venue shall be changed to another Circuit.

Mr. Parrett offered the following further instructions to inquire whether some other method of trying causes on changes of venue cannot be provided less expensive and more convenient.

Mr. Crain moved to lay the bill and amendments on the table,
Which was agreed to.

Mr. McLean asked and obtained leave to introduce

House bill No. 36. A bill to provide for stamping counterfeit, worthless and uncurrent bank bills, and prescribing the duties of the Auditor of State in relation thereto,

Which was read a first time and passed to a second reading.

Mr. Jones of Tippecanoe presented the proceedings and resolutions of a meeting of the people of Tippecanoe county,
Which were referred to the Committee on Military Affairs.

Mr. Mutz introduced the following resolution :

Resolved, That the Governor be and is hereby requested to furnish this House, forthwith, copies of contract made by the State authorities, military or civil, for clothing for the volunteers, gun carriages, ordnance stores, and all articles furnished or to be furnished by the State, except subsistence, and for the use of the volunteers organized under the laws of Indiana,

Which was referred to the Committee on Military Affairs.

Mr. Fisher, from the Committee of Ways and Means, made the following report,

Which was concurred in, and the communication referred as recommended :

MR. SPEAKER :

The Committee of Ways and Means, to whom was referred the communication of the Directors of the Northern State Prison, have had the same under consideration, and have instructed me to report it back and recommend its reference to the Committee of the Affairs of the Northern State Prison.

On motion,
The House adjourned till 9 o'clock to-morrow morning.

FRIDAY MORNING, 9 o'clock, }
May 10, 1861. }

The House met.

On motion by Mr. Hayes,

The reading of the Journal was dispensed with.

PETITIONS, MEMORIALS, REMONSTRANCES AND RESOLUTIONS.

Mr. Cason offered the following resolution :

Resolved, That the Committee appointed under a joint resolution of the two Houses to investigate the Commissary Department are hereby authorized and empowered to send for persons and papers ; and to examine such persons under oath as they may deem necessary for a full investigation of the Commissary Department, and that said Committee are hereby further authorized and empowered to inquire into and examine the purchase of provisions and supplies for the troops supplied by said Commissary Department,
Which was adopted.

Mr. Veatch moved to suspend the order of business and take from the table Senate bill No. 6.

Which was agreed to.

Mr. Veatch offered the following amendments to Senate bill No. 6:

Strike out all after the word "the" in the fifteenth line of the first section to the word "a" in the seventeenth line and insert "purchase of arms and equipments for the raising and maintaining of military companies within their respective jurisdiction either for home defense or for the service of this State or the United States, and such other necessary expenditures for the defense of their respective counties, cities and towns.

Also add the following:

SEC. 3. The said bonds of commissioners and the corporate authorities of cities and towns are hereby authorized to levy each year a special tax upon all the taxable property and polls within their respective jurisdictions for the purpose of paying the said appropriations or the interest therein.

Amend section three of the bill so as to read section No. 4.

Amend section second by striking out all after the word "for" in the sixth line to the word "be" in the tenth line and insert "any of the purposes aforesaid.

The amendments were adopted by unanimous consent.

Mr. Veatch moved to consider the bill as engrossed, and that it be read a third time now.

Which was agreed to.

Senate bill No. 6. A bill to authorize the board of county commissioners of the several counties of the State of Indiana and the authorities of any incorporated city or town in said State to make appropriations in certain cases and to legalize certain appropriations therein specified.

Was read a third time, and

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bryan, Campbell, Cason, Collins of Adams, Combs, Coopridier, Crain, Chapman, Dashiell, Davis, Dobbins, Epperson, Erwin, Feagler, Ferguson, Fisher, Ford, Fordyce, Fraley, Gifford, Goar, Gresham, Hall, Harvey, Hawthorth, Hayes, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lods, Lane, Lee, McClurg, McLean Moorman, Mutz, Nebeker, Newman, Orr, Packard, Parrett, Pitts, Polk, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sher-

man, Smith of Bartholomew, Smith of Miami, Stevenson, Trier, Thomas, Thompson, Underwood, Veatch, Warrum, Wells, Wilson, Woodhull, Woods and Mr. Speaker—33.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Bundy,

Resolved, That the Governor be requested to return to this House Senate bill No. 2.

On motion by Mr. Jenkinson,

Resolved, That the Committee on Printing inquire into the reason why the members of this House have not been furnished with the report of the investigation of the affairs of the Northern State Prison.

Message from the Governor.

TO THE HOUSE OF REPRESENTATIVES:

In pursuance of a resolution passed by your honorable body I herewith return Senate bill No. 2 for your further consideration.

OLIVER P. MORTON, Governor.

REPORTS FROM COMMITTEE.

Mr. Veatch, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No. 8, introduced by Mr. Newcomb, have had the same under consideration and direct me to report the same back to the House and recommend its passage.

Which was concurred in.

Senate bill No. 8. A bill providing for the appointment of deputies by certain public officers of this State, who have, or may hereafter enter the military service of the United States, or of this State, and authorizing such deputies to perform all the duties of their principals.

Was read a third time, and

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Brett, Brucker, Bryan, Cason, Crain, Dashiell, Davis, Erwin, Fisher, Fordyce, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Henricks, Hopkins, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Knowlton, Lee, McClurg, McLean, Nebeker, Newman, Owens, Parrett, Ragan, Roberts, Sherman, Thompson, Wilson, Woodhull, Woods, and Mr. Speaker—42.

Those who voted in the negative were,

Messrs. Atkinson, Black, Bundy, Campbell, Collins of Adams, Combs, Coopridger, Dobbins, Edson, Epperson, Feagler, Ferguson, Fleming, Ford, Fraley, Hayes, Holcomb, Horton, Howard, Kitchen, Lods, Lane, Moorman, Mutz, Orr, Packard, Pitts, Polk, Prow, Randall, Robbins, Sloan, Smith of Bartholomew, Stevenson, Trier, Thomas, Underwood, Warrum and Wells—39.

So the bill failed to pass for want of a constitutional majority.

Mr. McLean moved to pass the bill informally until 2 o'clock P. M.

Which was agreed to.

The hour having arrived which was fixed for the select committee of inquiry into the affairs of the Adjutant General's office, to report to the House,

Mr. Holcomb moved that the committee be allowed further time till 11 o'clock.

Which was agreed to.

Mr. McLean moved to take up Senate message containing Senate bill No. 19.

Which was agreed to.

Message from the Senate, by Mr. Brown, their Secretary :

MR. SPEAKER:

I am instructed to inform the House that the Senate has passed the following bill thereof, to-wit:

Senate bill No. 19. An act to authorize the trustees of the State

University to appropriate a certain amount of the University Funds for the enlargement of its cabinet and library, and directing the State Librarian to transfer certain documents and books herein named to the library of the State University. Also, making the State Geologist a member of the faculty of the University, and requiring him to deposit specimens in Mineralogy and Geology in the cabinet of the same.

In which the concurrence of the House of Representatives is respectfully requested.

Senate bill No. 19 was read a first time.

Mr. McLean moved to suspend the rules and read the bill a second time now by its title.

The ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brucker, Bundy, Cason, Collins of Adams, Combs, Coopridger, Crain, Chapman, Dashiell, Davis, Dobbins, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Gifford, Goar, Gresham, Hall, Harvey, Harworth, Henricks, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Knowlton, Lods, Lane, Lee, McClurg, McLean, Moorman, Mutz, Nebeker, Newman, Orr, Parrett, Pitts, Polk, Prow, Ragan, Robbins, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Trier, Thomas, Thompson, Underwood, Warrum, Wells, Woods and Mr. Speaker—71.

Voting in the negative, Mr. Woodhull—1.

So the rules were suspended and Senate bill No. 19 read a second time by its title.

Mr. McLean moved to consider the bill as engrossed, and that it be read a third time now.

Which was agreed to.

Senate bill No. 19 was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brett, Brucker,

Bryan, Bundy, Campbell, Cason, Collins of Adams, Combs, Coopriders, Chapman, Dashiell, Davis, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Fordyce, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Knowlton, Lods, Lane, Lee, McClurg, McLean, Moorman, Mutz, Newman, Orr, Owens, Packard, Parrett, Pitts, Polk, Prow, Ragan, Robbins, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Trier, Thomas, Underwood, Veatch, Warrum, Wells, Wilson, Woodhull, Woods and Mr. Speaker—74.

Voting in the negative, Mr. Nebeker—1.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Bundy moved to reconsider the vote by which the House passed Senate bill No. 2.

Which was agreed to.

Mr. Bundy offered the following amendment to the bill:

Amend by striking out section 3 and inserting the following as a substitute therefor:

SEC. 3. When the overt act of treason shall have been commenced in this State and consummated within the limits of any other State or territory, the person charged therewith may be arrested, tried and convicted in any county in the State in which he may be found.

The amendment was adopted by unanimous consent.

Mr. Bundy moved that the bill be put upon its passage.
Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brucker, Bryan, Bundy, Burgess, Cason, Collins of Whitley, Collins of Adams, Combs, Coopriders, Crain, Chapman, Dashiell, Davis, Dobbins, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Henricks, Holcomb, Hopkins, Horton, Hudson, Hurd, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lods, Lane, Lee, McClurg, Moorman, Mutz, Nebeker, Newman, Orr, Owens, Parrett, Pitts, Polk, Prow,

Ragan, Randall, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Trier, Thomas, Thompson, Underwood, Veatch, Warrum, Wells, Wilson, Woodhull, Woods, and Mr. Speaker—76.

Those who voted in the negative were,

Messrs. Cameron and Knowlton—2.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Gresham asked and obtained leave to introduce

House bill No. 37. A bill to establish home guards in cities and other municipal incorporations, and in counties.

Which was read a first time.

Mr. Benson moved to suspend the rules and read the bill a second time by its title, now.

The yeas and noes being taken,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brett, Bryan, Campbell, Carson, Collins of Whitley, Collins of Adams, Combs, Coopridger, Dashiell, Davis, Dobbins, Edson, Epperson, Erwin, Feagler, Ferguson, Feltner, Fleming, Ford, Fordyce, Fraley, Gifford, Goar, Gresham, Harlan, Harvey, Haworth, Henricks, Holcomb, Hopkins, Horton, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lane, Lee, McClurg, McLean, Moorman, Mutz, Newman, Orr, Owens, Packard, Parrett, Pitts, Puck, Prow, Ragan, Randall, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Trier, Thomas, Thompson, Underwood, Veatch, Warrum, Wells, Wilson, Woodhull, Woods and Mr. Speaker—77.

Voting in the negative, Mr. Bundy.

So the rules were suspended, and House bill No. 37 read a second time by its title.

Mr. Gresham moved to refer the bill to the Committee on Military Affairs,

Which was agreed to.

Mr. Bingham, from the Committee on Ways and Means, made the following report :

MR. SPEAKER :

I am directed by the Committee of Ways and Means to report the accompanying bill entitled an act providing for the management and disbursement of the various Trust Funds belonging to or held by the State of Indiana. Said bill is in accordance with the request of the Auditor of State in his late report, made to this House. The Committee respectfully recommend its passage.

House bill No. 38. A bill providing for the management and disbursement of the various Trust Funds belonging to or held by the State of Indiana,

Was read a first time.

Mr. Bingham moved to suspend the rules, and read the bill a second time now by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brett, Bryan, Bundy, Burgess, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Coopridier, Crain, Chapman, Dashiell, Dobbins, Edson, Epper-son, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Gifford, Goar, Gresham, Hall, Haworth, Hayes, Holcomb, Hopkins, Horton, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lane, Lee, McClurg, Moorman, Nebeker, Newman, Orr, Owens, Packard, Par-rett, Pitts, Polk, Prow, Ragan, Randall, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Trier, Thomas, Thomp-son, Underwood, Veatch, Wells, Woodhull, Woods and Mr. Speaker
—75.

No one voting in the negative.

So the rules were suspended, and House bill No. 38 was read a second time by its title.

Mr. Black offered the following amendment :

Insert in the proper place, "Or funds in the hands of the county treasurer,"

Which,

On motion by Mr. Crain,

Was laid on the table.

Mr. Bingham moved that the bill be considered as engrossed, and read a third time now,

Which was agreed to.

House bill No. 38 was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brett, Bryan, Bundy, Burgess, Campbell, Cason, Collins of Whitley, Collins of Adams, Coopridger, Crain, Chapman, Dashiell, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Ford, Fordyce, Fraley, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Henricks, Holcomb, Hopkins, Horton, Hudson, Hurd, Jones of Tippecanoe, Jones, Jones of Wayne, Kendrick, Knowlton, Lane, Lee, McClurg, McLean, Moorman, Nebeker, Newman, Orr, Owens, Parrett, Pitts, Polk, Randall, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Thomas, Thompson, Underwood, Veatch, Wells, Woodhull, Woods and Mr. Speaker—68.

Those who voted in the negative were,

Messrs. Combs, Dobbins, Fleming, Hayes, Lods, Prow, Robbins, and Trier—8.

Present and refusing to vote—Mr. Packard.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

The Speaker laid before the House the following communication from the late reporter of the Decisions of the Supreme Court:

INDIANAPOLIS, May 9, 1861.

HON. C. M. ALLEN,

Speaker, &c., and the Honorable, the members of the General Assembly:

SIRS—In the Journal of this date, I find a letter from Mr. Peelle, Secretary of State, explaining why he has not distributed the fourteenth volume of Indiana Reports. The statement of the Secretary

E. S. H. J.—12.

is, for the most part, correct. His information from Merrill & Co., to the effect that I owed them eight or nine hundred dollars on contract, is incorrect. I do not owe that firm over \$300, and this is the amount to secure which they hold and refuse to deliver to me, or to the Secretary, the books to which the State is entitled. This amount, in the present unsettled times, I cannot raise the money to pay. The amount due from the State will, of course, go to Merrill & Co., on settlement with the State. That sum is \$146 35. I owe them on cash account \$506 60, from which is to be deducted a balance due me on a standing account, for the purchase of books, which, deducting erroneous charges and overcharges cannot be less than \$200 00. This balance Merrill & Co. hold also as security for the payment of the cash balance.

The books are done. I have offered the firm of Merrill & Co. to secure the amount due from me to them, if they would deliver the books. This they refused. I cannot settle with Messrs. Merrill & Co., unless they first deliver the books. The balance due them yet in the State Treasury may remain there. If they will deliver the books, I will settle the amount due them as soon as the distracted state of the times will permit, in the meantime securing it to their satisfaction. In the state of pecuniary ruin, in which the times have involved me, throwing me out of the most remunerative employment, and leaving me without even a support for my family, this is all I can do.

Very respectfully your serv't,

GORDON TANNER.

On motion,

The communication was referred to the Committee on the Judiciary.

Mr. Holcomb moved that Messrs. Cason and Kendrick be added to the Committee of Investigation of the Adjutant General's office,

Which was agreed to.

On motion,

Mr. Hall obtained leave of absence.

On motion by Mr. Bundy,

The House adjourned till 2 o'clock, P. M.

2 O'CLOCK P. M.

The House met.

Mr. Sherman offered the following resolution :

Resolved, That the Committee appointed by the House to examine the kind and quality of provisions furnished at Camp Morton, be instructed to inquire into the management of Quartermaster's department, the price paid for such articles as are furnished by direction of the Quarter Master General, the quality of the same, and whether purchased by public or private contract, and such other matters touching the management of said department, as they, in their judgment may deem advisable, and that said Committee have leave to sit during the recess of the Legislature.

Which was adopted.

Mr. Bundy moved to take up Senate messages.

Which was agreed to.

Message from the Senate by Mr. Brown, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following concurrent resolution, to-wit :

Resolved, by the Senate the House concurring, That a committee of five be appointed—two on the part of the Senate, and three on the part of the House—to confer with the District Attorney and the Marshal of the United States for the district of Indiana, on the power and expediency of those officers interposing to prevent the sale and shipment of arms, munitions, provisions, and other articles contraband of war, from this State to the people of any other State in rebellion to the authority of the United States, and report to the Senate at an early hour.

Mr. Ray and Mr. Wagner were appointed said committee on the part of the Senate.

In which the concurrence of the House is respectfully requested.

The question being on adopting the concurrent resolution,
It was adopted.

Ordered, That the Clerk inform the Senate thereof.

The Speaker announced the committee on the part of the House: Messrs. Crain, McLean and Prosser.

Mr. McLean moved a call of the House.
Which was not agreed to.

On motion by Mr. Black,

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of repealing the law passed at the last session of this Legislature, requiring the Governor to collect to this place, all arms distributed among the several Counties of this State.

The House then proceeded to the consideration of Senate bill No. 8, which was informally passed this morning.

The question being shall the bill pass?

Mr. Ford moved the previous question.

Which was seconded by the House.

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brett, Bryan, Cason, Chapman, Collins of Whitley, Collins of Adams, Crain, Dashiel, Davis, Edson, Erwin, Fisher, Ford, Fordyce, Fraley, Gifford, Goar, Gresham, Grover, Hall, Harvey, Haworth, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Lee, McClurg, McLean, Moorman, Nebeker, Newman, Owens, Parrett, Pitts, Prosser, Prow, Ragan, Roberts, Sloan, Sherman, Smith of Miami, Thomas, Thompson, Veatch, Warrum, Wilson, Woodhull, Woods and Mr. Speaker—60.

Those who voted in the negative were,

Messrs. Brucker, Bundy, Campbell, Combs, Coopridner, Dobbins, Epperson, Ferguson, Fleming, Hayes, Horton, Kitchen, Knowlton, Lods, Lane, Mutz, Orr, Packard, Polk, Robbins, Stevenson, Trier and Williams—23.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. McLean moved to take the Senate message containing concurrent resolution of the House on the subject of adjournment, and the amendment of the Senate.

Which was agreed to.

Message from the Senate by Mr. Brown, its Secretary:

MR. SPEAKER:

I am instructed by the Senate to inform the House of Representatives that the Senate has passed the following concurrent resolution of the House, viz:

Resolved, That the House, the Senate concurring, will adjourn on the 10th inst., to meet on the 21st of this month,

With an amendment striking out "the 10th inst.," and inserting in lieu thereof the words "the 11th inst."

The question being on concurring in the Senate amendment,
Mr. Gresham moved the previous question.
Which was seconded by the House.

Messrs. Parrett and Hayes demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brett, Brucker, Bryan, Bundy, Chapman, Collins of Whitley, Collins of Adams, Combs, Coopridger, Crain, Dashiell, Davis, Dobbins, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Ford, Fordyce, Fraley, Gifford, Gresham, Grover, Hall, Harvey, Henricks, Holcomb, Hopkins, Horton, Howard, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lee, McClurg, McLean, Moorman, Mutz, Nebeker, Newman, Orr, Owens, Packard, Pitts, Polk, Prosser, Randall, Robbins, Sherman, Smith of Miami, Stevenson, Trier, Thomas, Warrum, Wells, Wilson, Woodhull and Mr. Speaker—68.

Those who voted in the negative were,

Messrs. Campbell, Cason, Goar, Haworth, Hayes, Hudson, Hurd, Lane, Parrett, Prow, Ragan, Roberts, Sloan, Thompson and Woods—15.

So the amendment of the Senate was concurred in.

Ordered, That the Clerk inform the Senate thereof.

Mr. Fisher introduced

Joint Resolution No. 6. A joint resolution in regard to the settlement of a claim in favor of the Bank Department of the Auditor's office, against May, Drake and Bright.

The question being on the adoption of the joint resolution,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brett, Brucker, Bryan, Bundy, Cason, Chapman, Collins of Whitley, Collins of Adams, Combs, Coopridger, Crain, Dashiell, Davis, Dobbins, Epperson, Erwin, Feagler, Ferguson, Fisher, Ford, Fordyce, Fraley, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Henricks, Hopkins, Horton, Howard, Hudson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lane, Lee, McLean, Moorman, Mutz, Nebeker, Newman, Owens, Parrett, Pitts, Prosser, Prow, Ragan, Randall, Roberts, Sloan, Sherman, Smith of Miami, Stevenson, Trier, Thomas, Veatch, Warrum, Wells, Wilson, Woodhull, Woods and Mr. Speaker—71.

Those who voted in the negative were,

Messrs. Knowlton and Lods—2.

So the joint resolution passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Crain moved to take up Senate message containing House bill No. 22, and the amendments of the Senate thereto.

Which was agreed to.

Message from the Senate by Mr. Brown, their Secretary :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bill of the House to-wit:

House bill No. 22. A bill to authorize the Governor to issue bonds to appoint a Board of Loan Commissioners, and defining their duties, requiring the Sinking Fund Commissioners to purchase bonds, defining their duties in relation to the interest received on the same, and levying a tax to meet the payment of the interest and principal of the bonds to be sold.

With the following engrossed amendments of the Senate.

In which the concurrence of the House is respectfully requested.

Engrossed amendments to House bill :

1. Insert after word "auditor," in first line of page five, these words: "and secretary."

2. Strike out all of section five after the word "commissioners," in the fourteenth line, and insert the following, to-wit: "who shall purchase these bonds if they can procure them on reasonable terms, and if not, then to invest the same in other Indiana State stocks, said commissioners keeping a record of the number, amount and price paid for such bonds, and from whom purchased, at the first session of the Legislature thereafter, said commissioners shall report the amount and number of such bonds or stocks, the price paid for the same, and from whom purchased, and rendering an account of such funds received since their last report, and immediately thereafter it shall be the duty of the Committee on Finance in the Senate, and the Committee of Ways and Means in the House of Representatives, to count said bonds, and examine the same, and said sinking fund commissioners shall then and there, in the presence of said Committees, to destroy said bonds and stocks, keeping a record and description of such destroyed bonds and stocks, and for the final payment of said bonds with the interest thereon, the faith of the State is irrevocably pledged."

Which two amendments were concurred in, by unanimous consent.

3. Amend section three, line five, after the word "mentioned," by inserting the following: "the two and a half cents tax on each one hundred dollars worth of taxable property heretofore levied for State debt sinking fund purposes, is hereby appropriated," and in line six, strike out the word "five," and insert "two and one half."

Which amendment was not concurred in.

4th. Strike out section two, and insert the following instead thereof:

SEC. 2. For the purpose of negotiating said bonds Hugh McCollough, James M. Ray and John H. O'Boyle are hereby appointed a Board of Loan Commissioners, who shall each receive as a compensation for their services as such commissioners five dollars *per diem*, for each day they or each of them may actually be engaged in negotiating said loan, together with their expenses; and the Governor shall deliver said bonds when prepared, signed and registered as aforesaid, to said commissioners, taking their receipt therefor, with the number and denomination of each bond, and shall file said receipt with the Auditor of State, which said commissioners shall dispose of said bonds as the wants of the treasury may require, or as in their judgment will promote the best interest of the State; and the money arising therefrom, together with all exchange, and any premium which may accrue, or may be received by said commissioners, except so much thereof as the Treasurer of State may require for payments in the city of New York, shall be paid by said commissioners into the State treasury, as soon as received by them, taking the receipt of

the Treasurer of State therefor, and file said receipt with the Auditor of State, who shall charge said Treasurer therewith; and the said Board of Loan Commissioners shall, on the first days of August, November, February and May, of each year, file with said Auditor of State, a report containing the number and denomination of bonds sold, and the price received therefor, and the time when sold, and the said Loan Commissioners shall each file with the Auditor of State a bond in the penalty of two hundred thousand dollars, to be approved by the Governor, for the faithful discharge of their duties, and the prompt payment to the proper officer of all moneys that may come into their hands as such commissioners, and the Treasurer of State shall file his receipt for the amount with the Auditor of State, designating therein the amount of each denomination of bonds sold, and the amount obtained for the same, who shall charge the Treasurer therewith.

5th. Amend the fourth section, in the fourth line, by inserting between the words "of" and "it," the words following, viz: "or in case any of said commissioners shall refuse to serve as such."

6th. Add to section four: "and such appointee or appointees shall give like bond with the original commissioners."

7th. Add to the bill:

SEC. 6. In case it becomes unnecessary to sell all of said bonds, such unsold bonds shall be returned to the Auditor of State, who shall register their number and denomination, and they shall then be destroyed in the presence of the Auditor, Treasurer and Secretary of State, and the fact shall be recorded by the Auditor, and signed by him, the Secretary and Treasurer of State.

8th. Add to the bill:

SEC. 7. The tax herein provided for the payment of the interest, and the gradual liquidation of the principal, shall not be diminished, but the same shall be levied and collected annually, until the bonds herein authorized to be issued, shall have been paid or redeemed.

9th. Add to the bill:

SEC. 8. Nothing in this act shall be so construed as to require the continuance of the existing office of Agent of State, but the Legislature may at any time hereafter, in its discretion, select any person as Agent of State, and any place in the city of New York as the office of the agency, under the provision of this act; *Provided*, That notice of the person and place in said city be given by the Governor of the State of Indiana immediately, in one or more daily papers in the city of New York, by thirty days publication thereof.

10th. Make section 6 of the bill section 9.

All of which amendments were concurred in by unanimous consent.

Ordered, That the Clerk inform the Senate thereof.

Mr. Veatch, from a select committee, introduced,

House bill No. 39. A bill to authorize the removal of convicts from the Southern State Prison to the Northern State Prison, and providing for the employment of convicts in each of said prisons; directing what counties shall send their convicts to the Northern State prison; and providing for carrying on the work in building said Northern State Prison; and making appropriations for the support of said prisoners.

Which was read a first time, and passed to a second reading.

On motion by Mr. Davis,

Resolved, That the Doorkeeper be directed to have newspapers ordered by this House, discontinued during the recess of the Legislature.

Mr. Knowlton offered the following resolution:

Resolved, That the Secretary of State be authorized to have the militia law, recently passed, published in the Sentinel and Journal.

Mr. Bundy moved to lay the resolution on the table.
Which was agreed to.

On motion,
Mr. Stonsenburg obtained leave of absence.

On motion by Mr. Packard,
The House took a recess till 8 o'clock, P. M.

8 O'CLOCK P. M.

The House met.

Mr. Jones of Tippecanoe, offered the following resolution :

WHEREAS, The doctrine of the right of instruction has not been questioned as a fundamental principle of a free and representative government; and whereas, the Government of the United States has been forced to accept the dire necessity of putting down treason and rebellion within the United States by force of arms; and whereas, the views of our Senators and Representatives in Congress, on the question of voting men and money for the purpose of enabling the Executive department of the United States to prosecute the present lamentable war to a speedy and triumphant conclusion; therefore,

Be it resolved by the General Assembly of the State of Indiana, (the Senate concurring therein,) That our Senators in Congress be instructed, and our Representatives in Congress be hereby recommended and requested to immediately, on the assembling of Congress, enact such measures as will enable the Government to prosecute the present war which has been forced upon the Government by rebels and traitors, to a speedy, honorable and triumphant termination, and

Be it further Resolved, That if either of our Senators, or any of our Representatives in Congress feel disinclined to give their support to such measures as may be necessary to put down treason and rebellion by force of arms, such Senators or Representatives are hereby requested to resign said office, and let the people of the district or State, as the case may be fill their places with such men as will support the Government and maintain the integrity and perpetuity of the Union against all our foes, whether without or within.

Which,

On motion by Jones of Tippecanoe,
Was referred to a select committee of three.

The Speaker announced the committee as follows :

Messrs. Jones of Tippecanoe, Roberts and Bingham.

Mr. Collins of Whitley, introduced

House bill No. 40. A bill to create the ——— judicial circuit, to

provide for the election of a judge and prosecuting attorney therefor, and to fix the times for holding courts therein.

Was read a first time and passed to a second reading.

Mr. Bingham, from the Committee on Military Affairs, made the following report:

MR. SPEAKER:

The Committee on Military Affairs, to whom was referred the resolutions adopted by a mass meeting of the citizens of Tippecanoe county, held at Lafayette on the 4th ultimo, have had the same under consideration and direct me to report that this Legislature congratulates itself in having anticipated the wishes of the good people of Tippecanoe by having provided in a full and ample manner for the defence of the State, before the resolutions of said meeting were placed before them, and they only regret that their constituents there could not remember and be governed by the wise counsel given of old:

“Be slow to anger and of great kindness.”

The Committee therefore respectfully recommend said resolution be laid upon the table.

The report was concurred in and the resolutions laid on the table.

Mr. Bundy moved to take up Senate messages.

Which was agreed to.

Message from the Senate, by Mr. Brown, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has passed the following joint resolution of the House, having amended the same by making it a concurrent resolution:

A joint resolution in regard to the settlement of a claim in favor of the Bank department of the Auditor's office against May, Drake and Bright.

On motion,

The amendment of the Senate was concurred in.

Also, that the Senate has passed

House bill No. 30. A bill making appropriations for the Hospital for the insane.

Also, that the Senate has concurred in the engrossed amendments of the House to

Senate bill No. 6. A bill to authorize the board of county commissioners of the several counties in the State of Indiana, and authorities of any incorporated city or town in said State, to make appropriations in certain cases, and to legalize certain appropriations therein specified.

Also, that the Senate has concurred in the engrossed amendments of the House to

Senate bill No. 2. A bill defining treason and the concealment of treason, and prescribing the punishment therefor,

With the following amendments thereto:

Also, that the Senate has receded from the following amendment made by the Senate to House bill No. 2:

Amend section 5, in line 5, after the word "mentioned," by inserting the following: "the $2\frac{1}{2}$ cents tax on each \$100 worth of taxable property heretofore levied for State debt sinking fund purposes is hereby appropriated;" and in line six, strike out the word "five," and insert "two and one-half."

Strike out the word "arrested" in the seventh line.

Strike from the end of the section the words "he may be found," and in their place insert the following: "The treasonable acts charged shall have been commenced or committed."

In which the concurrence of the House of Representatives is respectfully requested.

On motion,
The amendments of the Senate were concurred in.

Ordered, That the Clerk inform the Senate thereof.

Message from the Senate, by Mr. Brown, their Secretary.

MR. SPEAKER:

I am instructed by the Senate to inform the House that the Senate has passed the following engrossed bill of the House to-wit:

House bill No. 18. A bill to amend the 14th section of an act

entitled "an act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith.

With the following engrossed amendments of the Senate:

In which the concurrence of the House is respectfully requested.

Senate amendments to House bill No. 18:

Amend by adding the following section after the first, and changing the number of second section to three.

SEC. 2. That section eighteen of said act reads as follows:

"In the county of Blackford on the third Monday of January, May and September; in the county of Delaware on the first Mondays of February, June and October; in the county of Randolph on the third Mondays of February and June, and the fourth Monday of October, and in the county of Jay on the Mondays succeeding the Courts in the county of Randolph. The Court shall sit in the counties of Randolph and Delaware two weeks each, and in the counties of Blackford and Jay one week each, if the business requires it," be amended so as to read as follows:

"In the county of Blackford on the third Mondays of January, May and September; in the county of Delaware on the first Monday of February and October, and the second Monday of June; in the county of Randolph on the third Monday of February and the fourth Monday of June and October, and in the county of Jay on the Mondays succeeding the Courts in the county of Randolph. The Court shall sit in the counties of Randolph and Delaware two weeks each, and in the counties of Blackford and Jay one week each, if the business required it."

Amend the title by adding after the figures "14th," the following words and figures "and 18th."

On motion by Mr. Orr,

The House concurred in the amendments of the Senate to House bill No. 18.

Ordered, That the Clerk inform the Senate thereof.

Also, that the Senate has passed the following concurrent resolution thereof, to wit:

Resolved by the Senate, the House of Representatives concurring, That in consideration of the liberal franchises heretofore granted by the State to the several Railroad Companies within her limits, and the ample protection to property at all times secured to such corporations by the power of the State, it is declared to be the opinion of the Legislature of Indiana that such Railroad Companies as have carried, or may during this year carry, Volunteer Troops of the State to the Capitol or other place of rendezvous, and the discharged men from thence to their homes, should not require payment from the State for such service, it being no more than the proper share of such companies of the burden imposed upon the people of Indiana by the exigencies of the times; but for the transportation of the organized forces of the State, or of the United States, from place to place over their roads, such Railroad Companies should be allowed a reasonable compensation for the service, not exceeding one and a half cents per mile for passengers, and for freight not exceeding one-half the usual rates. And that a copy of this resolution be forwarded to the President of each Railroad Company in the State.

In which the concurrence of the House is respectfully requested.

On motion,
The concurrent resolution of the Senate was adopted.

Ordered, That the Clerk inform the Senate thereof.

Mr. Gresham, from the Committee on Military Affairs, made the following report:

MR. SPEAKER:

The Committee on Military Affairs, to whom was referred House bill No. 37, a bill to establish Home Guards in cities and other municipal incorporations, and in counties, have had the same under consideration, and have instructed me to report the same back and recommend its passage.

The report of the committee was concurred in, and the bill ordered to be engrossed for a third reading.

On motion,

The House adjourned till 9 o'clock to-morrow morning.

SATURDAY MORNING, 9 o'clock, A. M., }
 May 11th, 1861. }

House met.

On motion,
 The reading of the Journal was dispensed with.

Message from the Governor, by Mr. Holloway, his Secretary :

MR. SPEAKER:

I am directed by the Governor to inform the House that he has approved and signed

House bill No. 31. An act for the organization and regulation of the Indiana Militia, prescribing penalties for violation of said regulations, providing for the election and appointment of officers, defining the duties of military and civil officers, and penalties for the neglect or violation thereof, providing for courts martial, courts of administration and military encampments, making appropriations for the support of said militia, repealing all laws heretofore enacted on that subject, saving certain acts therein named, and declaring an emergency for the immediate taking effect thereof.

And has caused a copy of the same to be filed in the office of the Secretary of State.

Mr. Chapman, from the select committee to investigate the Commissary Department, asked to be excused from further service on said committee.

Which was agreed to.

On motion,
 Mr. Parrett was placed on the committee in his stead.

Mr. Hayes introduced

House bill No. 41. A bill to amend the first section of an act prescribing the powers and duties of Auditor of State, approved May 27th, 1852.

Which was read a first time and passed to a second reading.

House bill No. 36. A bill to provide for stamping counterfeit, worthless and uncurrent bank notes and bills, and prescribing the duties of the Auditor of State in relation thereto.

Was read a second time and referred to the Committee on the Judiciary.

House bill No. 39. A bill to authorize the removal of convicts from the Southern State Prison, and providing for the employment of convicts in each of said prisons, directing what counties shall send their convicts to the Northern Prison, and providing for carrying on the work in building said Northern State Prison, and making appropriations for the support of said prison.

Was read a second time and referred to the Committee on Ways and Means.

On motion by Mr. Fisher,
The Speaker declared the House adjourned till Tuesday, May 21,
at 10 o'clock A. M.

TUESDAY MORNING, 9 o'clock, }
May 21, 1861. }

The House met pursuant to adjournment.

On motion,
The reading of the journal was dispensed with.

On motion,
The House adjourned till 2 o'clock P. M.

2 o'CLOCK, P. M.

The House met.

Mr. Black moved a call of the House.
Which was agreed to.

The Clerk proceeded to call the roll.

The following members answered to their names :

Messrs. Black, Brucker, Bryan, Bundy, Campbell, Cason, Chapman, Combs, Cooprider, Dashiell, Davis, Edson, Epperson, Erwin, Fisher, Fleming, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Hayes, Heffren, Hopkins, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Lane, Lightner, McClurg, McLean, Moorman, Mutz, Nebeker, Newman, Orr, Parrett, Pitts, Polk, Prow, Randall, Robbins, Sloan, Sherman, Smith of Bartholomew, Stevenson, Stotsenburg, Thomas, Turner, Warrum, Wells, Williams, Woodhull, Woods and Mr. Speaker—58.

There being no quorum present,

On motion by Mr. Heffren,
The House adjourned till 9 o'clock to-morrow morning.

WEDNESDAY MORNING, 9 o'clock, }
May 22, 1861. }

The House met.

On motion,
The reading of the journal was dispensed with.
E. S. H. J.—13.

PETITIONS, MEMORIALS, REMONSTRANCES, AND RESOLUTIONS.

Mr. McLean presented the following claim,
Which,

On motion,
Was referred to the Committee on Claims.

TERRE HAUTE, INDIANA, May 16, 1861.

STATE OF INDIANA:

To Biddle & Duey, Dr.:—For amount of expenses incurred in raising a cavalry company under the instruction and approval of Gov. Morton, to-wit:

To board bill of J. H. Stewart.....	\$206 25
“ “ McGuire.....	52 89
	<hr/>
	\$259 14
To traveling expenses, printing, room rent, gas, &c., &c.....	\$46 35
	<hr/>
	\$305 49

By Mr. Kitchen,

A petition from sundry citizens of Warrick county asking an amendment to the law incorporating towns and cities.

Which,

On motion,
Was referred to the Committee on Corporations.

Mr. Hayes offered the following resolution:

Resolved, That the Committee on Military Affairs be instructed to report a bill at their earliest possible convenience, providing that each and every person in this State liable to bear arms under the constitution and laws thereof, who shall fail, refuse, neglect or omit to enroll themselves among the active militia of the State, shall be required to pay an annual tax of not less than two dollars; and that provision be made in said bill for the collection of said tax; and that said bill shall further provide that if the amount of tax thus raised should exceed the amount appropriated for the support of the active militia of the State; that the excess shall go to the support of the common schools of the State.

Mr. Bundy moved to amend by instructing the committee to inquire into the expediency, &c.

Which was agreed to.

The resolution was then adopted.

Mr. Erwin offered the following resolution :

Resolved, That the Judiciary Committee be instructed to inquire as to what legislation, if any, is necessary in reference to holders of lands in districts detached from one county and attached to another under the law of 1857-9, having their deeds recorded in the county to which such districts have been attached.

Which was adopted.

Mr. Henricks offer the following joint resolution :

House joint resolution No. 8. A joint resolution instructing the Senators and Representatives in Congress to procure the passage of a law granting 160 acres of land to each of our volunteers in our present army of the United States.

Mr. Woodhull moved to refer the resolution to the Committee on Military Affairs.

Which was agreed to.

Mr. Gresham moved to take up

House bill No. 37. A bill to establish Home Guards in cities and other municipal incorporations and in counties, and that three hundred copies thereof be printed for the use of members.

Which was agreed to.

BILLS INTRODUCED.

Mr. Orr introduced

House bill No. 42. A bill making provisions for the regulation and government of such military volunteer companies as have elected their officers and filed their muster rolls in the office of the Adjutant General of the State of Indiana and tendered their services to the Governor under the call for troops for active service in the army of the United States, made by the Governor of this State, April —, 1861, and who have not yet been received into active service, constituting such companies the reserve corps of the State of Indiana, and as such making provision for their admission into the Indiana Legion.

Which was read a first time.

Mr. Orr moved to suspend the rules and read the bill a second time now by its title.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brett, Brucker, Bryan, Bundy, Campbell, Collins of Adams, Combs, Coopriders, Crain, Chapman, Dashiell, Davis, Dobbins, Epperson, Erwin, Ferguson, Fisher, Fleming, Ford, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Heffren, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lane, Lee, Lightner, McClurg, McLean, Moorman, Mutz, Nebeker, Newman, Orr, Packard, Parrett, Pitts, Polk, Prosser, Prow, Randall, Roberts, Sloan, Sherman, Smith of Bartholomew, Stevenson, Trier, Thomas, Turner, Underwood, Warrum, Wells, Woodhull, Woods and Mr. Speaker—74.

No one voting in the negative.

So the rules were suspended and the bill read a second time by its title, and

On motion

Referred to the Committee on Military Affairs.

By Mr. Jones of Wayne,

House bill No. 43. A bill to legalize the incorporation of towns under an act for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties, approved June 11, 1852, and all by-laws, rules, regulations and proceedings adopted in pursuance thereof.

Was read a first time.

Mr. Jones of Wayne moved to suspend the rules and read the bill a second time by its title now.

The ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brucker, Bryan, Bundy, Campbell, Collins of Adams, Combs, Coopriders, Crain, Chapman, Dashiell, Davis, Dobbins, Epperson, Erwin, Ferguson, Fisher, Fleming, Ford, Fraley, Frasier, Goar, Gresham, Hall, Harvey, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lane, Lee, Lightner, McClurg, McLean, Moorman, Mutz, Nebeker, Newman, Orr, Packard, Parrett, Pitts, Polk,

Prosser, Prow, Randall, Roberts, Sloan, Sherman, Smith of Bartholomew, Stevenson, Trier, Thomas, Turner, Underwood, Wells, Williams, Woodhull, Woods and Mr. Speaker—73.

No one voting in the negative.

So the rules were suspended, and the bill read a second time by its title, and

On motion,
Referred to the Committee on the Judiciary.

Mr. Heffren offered the following resolution:

Resolved, That the State Printer be requested to inform this House why the minority report of the Select Committee on the Northern State Prison was not printed with the report of the majority and the evidence taken by said committee.

Which was adopted.

By Mr. Orr,

House bill No. 44. A bill providing a forfeiture for any person who shall fail to become a member of some regularly authorized company in the Indiana Legion, or in some other militia company authorized by law, and making provision for the collection of such penalty or forfeiture.

Was read a first time.

Mr. Heffren moved to reject the bill.

Which was agreed to.

By Mr. Jenkinson,

House bill No. 45. A bill for the preservation and maintenance of swinging bridges across canals within the corporate limits of cities and towns within in the State of Indiana.

Was read a first time.

Mr. Parrett moved to reject the bill.

Messrs. Jenkinson and Heffren demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Crain, Dashiell, Harvey, Heffren, Hopkins, Hudson, Lane, Nebeker, Parrett, Pitts, Stevenson, Thomas, Underwood and Williams—14.

Those who voted in the negative were,

Messrs. Anderson, Bingham, Black, Brett, Bryan, Bundy, Campbell, Chapman, Collins of Whitley, Collins of Adams, Combs, Coopridger, Davis, Dobbins, Edson, Epperson, Erwin, Ferguson, Fisher, Fleming, Ford, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Hayes, Henricks, Holcomb, Horton, Howard, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lee, Lightner, Moorman, Mutz, Newman, Orr, Packard, Polk, Prow, Randall, Roberts, Sloan, Sherman, Smith of Bartholomew, Trier, Turner, Warrum, Wells, Woodhull, Woods and Mr. Speaker—59.

So the motion to reject did not prevail, and,
The bill passed to a second reading.

Message from the Governor by Mr. Holloway his Secretary :

MR. SPEAKER:

I am directed by the Governor to inform the House that he has approved and signed

House bill No. 22. An act to authorize the Governor to issue bonds, to appoint a Board of Loan Commissioners, and defining their duties, requiring the Sinking Fund Commissioners to purchase bonds, defining their duties, in relation to the requirements of the same, and levying a tax to meet the payment of the interest and principal of the bonds to be sold;

And has caused a copy of the same to be filed in the office of the Secretary of State.

Mr. Holcomb offered the following resolution :

Resolved, That a committee of one from each Congressional District be appointed, whose duty it shall be to report to this House a bill apportioning the State into Districts for Senators and Representatives in the State Legislature.

Which,
On motion,
Was laid on the table.

Mr. Henricks moved to suspend the order of business and take up House bill No. 32.

Which was agreed to.

House bill No. 32. A bill supplemental to an act entitled "an act

to authorize the construction of levees and drains," approved June 12, 1852.

Was read a second time and ordered to be engrossed.

Mr. Gresham moved that the House do now adjourn.
Which was not agreed to.

On motion,

Messrs. Burgess, Hurd and Grover were granted leave of absence.

Mr. Bundy, from the Committee on the Judiciary, asked and obtained leave to make the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 36, a bill to provide for stamping counterfeit, worthless and uncurrent bank notes and bills, and prescribing the duties of the Auditor of State in relation thereto, which was introduced by Mr. McLane, of Vigo, have had the bill under consideration, and have directed me to report the bill back and recommend its passage.

Which was concurred in, and
The bill ordered to a third reading.

On motion by Mr. Crain,

House bills Nos. 15, 23, 27 and 28, known as the Relief Bills, were made the special order for to-morrow at 2 o'clock, P. M.

On motion,

The House adjourned till 2 o'clock, P. M.

2 O'CLOCK, P. M.

House met.

BILLS ON THEIR SECOND READING.

House bill No. 35. A bill to amend section 87 of an act entitled

“an act providing for the election of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases,” approved March 9, 1852. May 22, read a second time, and made special order for May 23, at 2 o’clock.

House bill No. 30. An act to create the judicial circuit, to provide for the election of a judge and prosecuting attorney therefor, and to fix the time of holding courts therein.

Was read a second time, and,

Referred to the Committee on the Judiciary.

House bill No. 41. A bill to amend the first section of an act prescribing the powers and duties of the Auditor of State, approved May 27, 1852. May 22, read a second time, and referred to Committee on Judiciary.

On motion by Mr. Frasier,

A committee of three was appointed to inquire by what authority Guards are stationed at the doors of this Hall, and to request their removal.

The Speaker announced Messrs. Frasier, Edson and Ford as the committee.

Message from the Senate, by Mr. Brown, their Secretary :

MR. SPEAKER:

I am instructed by the Senate to inform the House of Representatives that the Senate has passed the following bill, to-wit :

Senate bill No. 20. An act to amend the twentieth section of an act entitled an act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith, approved March 5, 1859,

In which the concurrence of the House of Representatives is respectfully requested.

Senate bill No. 20 was read a first time.

Mr. Allen moved to suspend the rules and read the bill a second time by its title now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Bundy, Cameron, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Crain, Chapman, Dashiell, Davis, Dobbins, Edson, Erwin, Feagler, Fisher, Fleming, Fraley, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Henricks, Holcomb, Howard, Hudson, Hard, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lods, Lane, Lee, Lightner, McClurg, McLean, Moorman, Mutz, Nebeker, Newman, Orr, Parrett, Pitts, Polk, Prow, Randall, Sloan, Smith of Bartholomew, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Warrum, Wells, Williams, Woodhull, Woods and Mr. Speaker—69.

Mr. Ferguson voting in the negative—1.

So the rules were suspended, and the bill read a second time by its title.

Mr. Allen moved that the bill be considered engrossed, and read a third time now,

Senate Bill No. 20 was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brett, Bryan, Bundy, Cameron, Campbell, Cason, Chapman, Collins of Whitley, Collins of Adams, Combs, Crain, Dashiell, Davis, Dobbins, Edson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Heffren, Henricks, Holcomb, Hopkins, Howard, Hudson, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, McClurg, McLean, Moorman, Mutz, Nebeker, Orr, Packard, Parrett, Pitts, Polk, Prow, Randall, Sloan, Smith of Bartholomew, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Warrum, Wells, Williams, Woodhull, Woods and Mr. Speaker—78.

No one voting in the negative.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Crain moved to take up the message of the Senate containing the concurrent resolution of the Senate in relation to adjournment, Which was agreed to.

Message from the Senate, by Mr. Brown, their Secretary.

MR. SPEAKER:

I am instructed by the Senate to inform the House of Representatives that the Senate has passed the following concurrent resolution, to-wit:

Resolved by the Senate, the House concurring, That the General Assembly will adjourn, *sine die*, on Monday, the 29th instant,

In which the concurrence of the House is respectfully requested.

Mr. Heffren moved to amend as follows:

Amend so as to adjourn on Saturday, the 25th instant, at twelve o'clock.

Mr. Fisher moved to lay the message and concurrent resolution on the table,
Which was agreed to.

Ordered, That the Clerk inform the Senate thereof.

Mr. Packard moved to adjourn,
Which was not agreed to.

On motion,

House bill No. 34, a bill fixing the terms of office of the Superintendents of the Hospital for the Insane and the Asylum for the Deaf and Dumb, and Blind, and providing when the elections therefor shall be held,

Was taken up.

The question being, shall the bill be engrossed?

Mr. Heffren moved to lay the bill on the table,
Which was agreed to.

The Speaker laid before the House the following communication from the State Printer:

HON. CYRUS M. ALLEN,

Speaker of the House of Representatives:

In response to a resolution of the House, of which I have just been notified, demanding the reason why the minority report of the Committee of the Northern Penitentiary is not printed with the majority report, I desire to inform the House that the minority report is printed with the majority report in the copies ordered by the House. Those ordered by the Senate contain only the minority report made to that body, as ordered by them. I presume, in the distribution of the reports by the Doorkeeper, some of the Senate copies have been accidentally substituted for those belonging to the House.

Respectfully,

B. R. SULGROVE.

INDIANAPOLIS, May 21, 1861.

On motion by Mr. Heffren,

The Doorkeeper was instructed to lay on the desks of members the report of the Committee on the Northern State Prison.

Mr. Fisher asked and obtained leave to introduce

House bill No. 46. A bill appointing a Board of Medical Examiners to examine applicants for positions of Surgeons and Assistant Surgeons, and requiring the Governor to select from those having certificates of qualification,

Was read a first time.

Mr. Fisher moved to suspend the rules and read the bill a second time now by its title.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brett, Bryan, Bundy, Cameron, Campbell, Cason, Chapman, Collins Whitley, Collins of Adams, Combs, Crain, Dashiell, Davis, Dobbins, Feagler, Ferguson, Fisher, Fleming, Ford, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Howard, Hudson, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lane, Lee, Lightner, Lods, McClurg, Moorman, Nebeker, Newman, Orr, Packard, Parrett, Pitts, Polk, Prow, Randall, Roberts, Sloan, Smith of Bartholomew, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Woodhull, Woods and Mr. Speaker—73.

No one voting in the negative.

So the rules were suspended, and the bill read a second time by its title.

Mr. Allen moved that the bill be considered as engrossed and read a third time now.

Mr. Knowlton moved to amend by referring the bill to the Committee on Military Affairs.

Pending which,

On motion by Mr. Heffren,
The House adjourned till 9 o'clock to-morrow morning.

THURSDAY MORNING, 9 o'clock, }
May 23, 1861. }

House met.

On motion by Mr. Moss,
The reading of the journal was dispensed with.

PETITIONS, MEMORIALS, REMONSTRANCES, AND RESOLUTIONS.

Mr. Orr offered the following resolution :

Resolved, That the Committee on Military Affairs inquire into the expediency or propriety of exempting from labor on the public highways all the members of the Indiana Legion, who will drill not less than twelve days in each year, and report to this House by bill or otherwise.

Which was adopted.

Mr. Warrum offered the following joint resolution :

Joint resolution No. 8. Instructing our Senators and Representatives in Congress to use all lawful means to procure rifles, and other first class arms, for the use of Indiana troops enlisted into the service of the United States.

Mr. Fisher moved to strike out the last resolution.

Mr. McLean moved to refer the joint resolution to the Committee on Military Affairs.

Which was agreed to.

Mr. Holcomb presented a petition from sundry citizens of Gibson county, praying an extension of the stay of execution.

Which,

On motion,

Was laid on the table.

Mr. Hayes offered the following resolution :

Resolved, That the military officers stationed at present at Camp Morton, or at other places within this city, be permitted to occupy seats within the bar of this House during the present session.

Which,

On motion by Mr. Heffren,

Was laid on the table.

Mr. Jones of Tippecanoe, from a Select Committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred Joint resolution No. 7, containing instructions to our members of Congress, have had the same under consideration, and have instructed me to report the same back to this House, and recommend that the same be amended by adopting the following substitute herewith submitted, and, when so amended, that said preamble and joint resolutions do pass.

WHEREAS, The doctrine of instruction has not been questioned as a fundamental principle of a free and representative government; *And, whereas*, the Government of the United States has been forced to accept the dire necessity of putting down treason and rebellion within the United States by force of arms; *And, whereas*, it is desirable to know the views of our representatives in Congress on the question of voting men and money, for the purpose of enabling the executive department of the Government of the United States to prosecute the present lamentable war to a speedy and triumphant conclusion; therefore, be it

Resolved by the General Assembly of the State of Indiana, the Senate concurring therein, That our Senators in Congress be and they are hereby instructed, and our Representatives in Congress are hereby recommended and requested, to immediately, on the assembling of Congress, enact such measures as will enable the Government to prosecute the present war, which has been forced upon the Gov-

ernment by rebels and traitors, to a speedy, honorable and triumphant termination.

And be it further resolved, That if either of our Senators, or any Representative in Congress, feels disinclined to give his support to such measures as may be necessary to put down treason and rebellion by force and arms, such Senator or Representative is hereby requested to resign said office, and let the people of the district or State, as the case may be, fill their places with such men as will support the Government, and maintain the integrity and perpetuity of the Union against all our foes, whether without or within.

Mr. Heffren moved to re-commit the joint resolution to the select committee, with instructions to put it in proper form and report to the House.

On motion by Mr. Allen,
Mr. Crain was added to the committee.

Mr. Warrum introduced,

House bill No. 47. A bill supplementary to an act entitled "an act for the organization of the Indiana Militia and prescribing penalties for violation of said regulations; providing for the election and appointment of officers; defining the duties of military and civil officers, and penalties for the neglect or violation thereof; providing for courts martial, councils of administration, and military encampments; making appropriations for the support of said militia; repealing all laws heretofore enacted on that subject, saving certain acts therein named, and declaring an emergency for the immediate taking effect thereof,"

Which was read a first time.

Mr. Orr moved to suspend the rules, and read the bill a second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Atkinson, Black, Brett, Bryan, Cason, Chapman, Collins of Whitley, Combs, Coopridger, Dobbins, Edson, Epperson, Erwin, Ford, Fraley, Frazier, Gifford, Gresham, Hayes, Holcomb, Hopkins, Howard, Hudson, Jenkinson, Jones of Vermillion, Knowlton, Lee, McLean, Moss, Orr, Pitts, Prosser, Prow, Robbins, Sloan, Sherman, Smith of Bartholomew, Thomas, Turner, Warrum, Wells, Williams, Woods and Mr. Speaker—43.

Those who voted in the negative were,

Messrs. Anderson, Brucker, Campbell, Collins of Adams, Davis, Feagler, Ferguson, Fisher, Fleming, Goar, Hall, Harvey, Haworth, Heffren, Henricks, Hurd, Jones of Wayne, Kendrick, Kitchen, Lods, Lane, Lightner, McClurg, Moorman, Nebeker, Newman, Packard, Smith of Miami, Stevenson, Stotsenburg, Trier, Underwood and Wilson—33.

So the rules were suspended, and the bill passed to a second reading.

Mr. Heffren introduced the following concurrent resolution :

WHEREAS, By joint resolution of the General Assembly, a recess of about 10 days was agreed to, and both Houses took such a recess to a day certain: AND WHEREAS, By a resolution which passed both the House and Senate, the presiding officers thereof, together with the Secretaries thereof, should certify to the Auditor of State the *per diem* and mileage of members of the General Assembly: AND WHEREAS, The Auditor of State has refused to draw his warrant upon the Treasurer for the *per diem* of members upon the certificate of the proper officers of the House and Senate, alleging as a reason thereof that he had taken official notice that the General Assembly had taken a recess, and would not draw such warrants as the resolution of this General Assembly directed: Therefore,

Be it resolved, the Senate concurring therein, That the Auditor of State be directed to draw his warrant upon the Treasurer of State for the *per diem* of members as certified by the presiding officers thereof.

Which was adopted.

Ordered, That the Clerk inform the Senate thereof.

Mr. Brett introduced

House bill No. 48. A bill to amend sections 75, 78, 79, 94, 95, 142 and 143, of an act entitled "an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana," approved May 23, 1861.

Mr. Heffren moved to suspend the rules and read the bill a first time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bryan, Chapman, Collins of Adams, Combs, Coopriders, Dashiell, Davis, Dobbins, Epperson, Erwin, Feagler, Fisher, Fleming, Ford, Fraley, Frasier, Gifford, Goar, Gresham, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, McClurg, McLean, Moorman, Moss, Nebeker, Orr, Owens, Packard, Pitts, Prow, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Warrum, Wells, Williams, Woodhull, Woods and Mr. Speaker—73.

Those who voted in the negative were,

Messrs. Campbell, Ferguson and Stevenson—3.

So the rules were suspended, and the bill read a first time by its title.

Mr. Heffren moved to read the bill a second time by its title now. Which was agreed to.

House bill No. 48 was read a second time by its title, and referred to a select committee of five.

The Speaker announced the committee as follows: Messrs. Brett, Black, Lane, Crain and Hopkins.

Mr. Jenkinson moved to reconsider the vote by which the House passed Senate bill No. 30, on yesterday. Which was agreed to.

Mr. Jenkinson, by unanimous consent, offered the following amendment:

Insert in the proper place,

In the county of Huntington, on the Mondays succeeding the Courts in the county of Wells, at the January and September terms, and on the Monday succeeding the 4th Monday in May at the Spring term in each year.

Which was adopted.

The question being, shall the bill, as amended, pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brucker, Campbell, Cason, Chapman, Collins of Whitley, Collins of Adams, Combs, Coop-
rider, Crain, Dashiell, Davis, Epperson, Erwin, Feagler, Ferguson,
Fisher, Fleming, Ford, Fraley, Frasier, Goar, Gresham, Hall,
Harvey, Haworth, Hayes, Henricks, Holcomb, Hopkins, Horton,
Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of,
Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton Lods,
Lane, Lee, Lightner, McClurg, McLean, Moorman, Moss, Nebeker,
Newman, Orr, Owens, Packard, Pitts, Prow, Robbins, Sloan, Sher-
man, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsen-
burg, Trier, Thomas, Thompson, Turner, Underwood, Warrum,
Wells, Williams, Woodhull, Woods and Mr. Speaker—76.

No one voting in the negative.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Fisher moved to take up

House bill No. 46. A bill appointing a board of medical examin-
ers to examine applicants for positions of surgeons and assistant
surgeons, and requiring the Governor to select from those having
certificates of qualifications.

Which was agreed to.

The question being on Mr. Knowlton's motion to refer the bill to
the Committee on Military Affairs,

Mr. Heffren moved to lay the motion on the table.

Which was agreed to.

The question recurring on the motion to consider the bill as en-
grossed and read it a third time,

The motion was laid on the table.

Mr. Heffren offered the following amendment to the bill.

Strike out the name of Dr. Livingston Dunlap and insert instead
the name of Dr. John Sloan, of New Albany.

E. S. H. J.—14.

Mr. Williams moved that the bill and pending amendment be indefinitely postponed.

Mr. Nebeker moved the previous question,
Which was seconded by the House.

Messrs. Heffren and Bryan demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brucker, Campbell, Collins of Whitley, Collins of Adams, Combs, Crain, Dashiell, Dobbins, Edson, Epperson, Erwin, Feagler, Ferguson, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Gresham, Hall, Harvey, Haworth, Hayes, Holcomb, Hopkins, Howard, Hudson, Jones of Tippecanoe, Jones of Wayne, Kendrick, Kitchen, Lods, Lightner, McLean, Moss, Nebeker, Newman, Pitts, Sloan, Sherman, Smith of Bartholomew, Thompson, Underwood, Warrum, Wells and Williams—51.

Those who voted in the negative were,

Messrs. Bryan, Davis, Fisher, Goar, Heffren, Henricks, Hurd, Jenkinson, Jones of Vermillion, Knowlton, Lane, Lee, McClurg, Orr, Owens, Packard, Prosser, Prow, Roberts, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Turner, Woodhull, Woods and Mr. Speaker—28.

So the bill and pending amendment were indefinitely postponed.

Mr. Bingham, from a select committee, asked and obtained leave to make the following report:

MR. SPEAKER:

The select committee, to whom joint resolution No. 7, together with the substitute thereof, was recommitted, have had the same under consideration, and direct me to report the following substitute:

WHEREAS, An armed rebellion now distracts and disturbs the peace and quiet of the Government of the United States, and in a portion of the States composing said Union the execution of the laws thereof have been resisted; and whereas such disturbance is treasonable in its nature, and should at once be quelled by the exercise of the military power of the Government; and whereas, it is desirable to know the views of the Senators and Congressmen representing this State, and to advise them of the wishes of their constituents; therefore,

Be it resolved by the General Assembly of the State of Indiana, That our Senators be instructed, and they are hereby directed, and our members of Congress requested to vote all needful aid in men and money that the General Government may require to suppress said rebellion promptly, effectually and completely; and

Be it further Resolved, That should any of said Senators or Representatives with those engaged in said rebellion, be disinclined to vote men and money to aid in the suppression thereof, they are hereby requested to resign their seats and return to the people the opportunity of filling their places with representative men who have the will and courage of patriots to stand by the Government as it came from the hands of the men who bequeathed it to us.

Be it further Resolved, That the Governor of this State send to each of our Senators and members of Congress a copy of these resolutions, and that they each severally are hereby requested to respond to the same in some public manner.

Mr. Stotsenburg moved to concur in the report of the Committee, with the following amendment:

Strike out the second resolution.

Mr. Roberts moved to lay Mr. Stotsenburg's motion on the table.

Messrs. Prosser and Heffren demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Brett, Brucker, Bryan, Campbell, Cason, Chapman, Collins of Whitley, Coopridier, Crain, Dashiell, Dobbins, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Henricks, Hopkins, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Knowlton, Lane, Lee, Lightner, McClurg, McLean, Moorman, Moss, Nebeker, Newman, Orr, Owens, Parrett, Pitts, Prosser, Prow, Roberts, Sloan, Sherman, Smith of Miami, Thomas, Thompson, Turner, Underwood, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—72.

Those who voted in the negative were,

Messrs. Collins of Adams, Combs, Heffren, Howard, Packard, Robbins, Smith of Bartholomew, Stevenson, Stotsenburg and Trier—10.

So the motion to lay on the table prevailed.

The question then recurring on the passage of the joint resolution,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brett, Brucker, Bryan, Campbell, Cason, Chapman, Collins of Whitley, Coopridger, Crain, Dashiell, Davis, Dobbins, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Knowlton, Lods, Lane, Lee, Lightner, McClurg, McLean, Moorman, Moss, Nebeker, Newman, Orr, Owens, Parrett, Pitts, Prosser, Prow, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—82.

Messrs. Combs and Heffren voting in the negative.

Present and refusing to vote:

Collins of Adams.

So the joint resolution passed.

Ordered, That the Clerk inform the Senate thereof.

On motion,
The House adjourned till 2 o'clock P. M.

2 o'clock P. M.

House met.

Message from the Senate by Mr. Brown, their Secretary:

MR. SPEAKER:

I am instructed by the Senate to inform the House that the Senate has concurred in the engrossed amendments of the House to the following bill of the Senate:

Senate bill No. 20. An act to amend the twentieth section of an act entitled "an act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859.

Mr. Cason, from a select committee to investigate the Commissary Department of the State, asked and obtained leave to make the following report:

The select committee of the two houses to investigate the Commissary and Quartermaster departments herewith submit the following report in relation to the Commissary department.

The investigation has been very tedious and laborious; yet we have endeavored to look into every thing connected with the department with the closest scrutiny as far as we have set forth in this report.

RATION ALLOWANCES.

The first thing demanding our attention was the charge against the Commissary of short ration allowances to the soldiers, and in order that everything connected with the duties of this office may be fully understood, we would state that the Commissary General, so far as the duties of the present officer is concerned, is an agent of the State, receiving nothing for his services except his salary, and that it is his duty to the State to furnish good and healthy food for her soldiers at the lowest market price, charging the State only the amount so paid, and anything that this officer, or any person under his control, may make by way of commission, bonus, or otherwise, would be a fraud upon the State and a criminal breach of trust. The soldiers being just from homes of plenty and wholly unacquainted with the military service, and inexperience in camp cooking and camp economy, the Governor and Commissary General thought best to issue extra rations to the troops, and not confine them to regular army rations, which, according to army regulations, are as follows for each one hundred men:

Of Pork.....	75 lbs.
And if of Beef.....	125 "
Of Flour	112 $\frac{2}{3}$ "
And if of hard Bread.....	100 "
Of Beans.....	8 qts.
And if of Rice.....	10 lbs.
Of Coffee	6 "
Of Sugar.....	12 "

Of Vinegar.....	1 gal.
Of Candles	1½ lbs.
Of Soap.....	4 “
Of Salt	2 qts.

The rations as furnished by the Commissary have been heretofore reported to this body to be as follows, for each one hundred men :

Of Beef.....	150 lbs.
And if of Pork.....	110 “
Of Bread	150 “
Of Beans.....	130 “
And if of Rice.....	12 “
Of Coffee.....	8 “
Of Sugar.....	16 “
Of Candles.....	3 “
Of Soap.....	6 “
Of Vinegar.....	2½ gal.
Of Salt.....	12 lbs.
Of Potatoes.....	100 “
Of Pepper	1 “
Of Dried Fruit.....	1½ bu.
Of Onions	3 “
Of Pickles, and other anti-Scorbutics.....	_____

As to how far this bill of rations has been complied with, we would refer your honorable body to the testimony of the soldiers herein appended, in connection with the statements hereinafter set forth in this report.

Your committee are clearly of the opinion that the rations have exceeded the army regulations, but that they have not been in accordance with the schedule in the report of the Commissary General heretofore made to this House; that there has been considerable favoritism toward some companies by the employes of the Commissary, but of which we have traced no knowledge to the Commissary himself, and that many of the complaints of short allowances of rations are well founded, and are directly traceable to the employes of the Commissary issuing the rations. We are also of the opinion that as a general thing the companies have fared best whose officers have been the most careful and attentive to the wants of their men, and that much cause of the complaint would have been removed by proper attention of the officers of the companies complaining.

QUALITY OF THE PROVISIONS.

In the careful investigation that we thought necessary to give as to the quality of the provisions, we find that the ground coffee furnished before the troops were supplied with green coffee and coffee-

mills, for the most part was basely adulterated and almost worthless. When the Commissary went for his first purchase of this article he found but a limited supply, the grocery merchants having on hand only a sufficient amount for the supply of their regular customers, and therefore it was necessary for this officer to make some immediate arrangement for furnishing this article.

Mr. B. F. Tuttle, a grocer of this city, informed Mr. Mansur's assistant he had an arrangement by which he could get coffee parched, ground and sacked, and as many pounds returned as he had furnished of the green coffee, and that he would be enabled to furnish the same at $13\frac{1}{2}$ cents per pound, although he had refused to take less than 15 cents for what he had on hand when Mr. Mansur first wanted to purchase.

Mr. Mansur accepted this proposition, and accordingly Mr. Tuttle employed Mr. Herman Bollman to do the work, and he swears that in roasting, grinding and packing coffee it loses from 16 to 25 per cent. in weight, and that to make up for this loss, and to pay him for his labor and expenses of packages, boxes, &c., he put 45 pounds of parched beans to each sack of green coffee, and that he made for his profits twenty pounds of green coffee for each sack of green coffee thus prepared.

We are inclined to the opinion that the coffee was much more adulterated, from a comparison of the testimony of the soldiers, of the worthless character of this article, and their statements in relation to an article of ground coffee furnished by Mr. Andrew Wallace, manufactured at Columbus, Ohio. The coffee, after being prepared by this man Bollman, was ordered by the Commissary General to be put up in 12, 14 and 16 ounce packages, as the Assistant Commissary alleged, for convenience in distributing; the twelve ounce packages were counted at their actual weight, and the fourteen ounce for one pound. We are at a loss for any reason for the adulteration, at considerable trouble and expense, when according to the testimony of the witness that it is a well known fact to grocery dealers that beans and peas ruin and spoil the coffee prepared in this way; nor does it seem that the Commissary or Mr. Tuttle made anything by this operation, a criminal practice and crying evil that should be condemned rather than encouraged.

The meat, with the exception of the bulk shoulders, has generally been a fair article. The bulk shoulders referred to have been furnished by the Commissary General out of his own pork house, and the complaint of the soldiers has been nearly universal of its inferior quality; that a large portion of it was too light, and that it was all very salty, not well cured and generally in a "bad condition." There is evidence that other meat was occasionally bad, but we regard this as an unavoidable accident. The beans have generally been of a poor quality, a good portion of them being entirely worthless. A part of the dried fruit has also been very bad, but this is now remedied, and a good article being furnished.

The testimony shows that there are no further well grounded complaints as to the quality of provisions.

THE MANNER OF MAKING PURCHASES.

The Commissary deserves great credit for the zeal and energy which he has displayed in making purchases in his department at the lowest market price, with the single exception of the meat furnished by himself and brother. The testimony shows conclusively that he did all in his power to produce competition in the market, and to purchase all other articles at the lowest cash price, but that he made no offer to any one to furnish pork until he was told by Mr. Israel McTaggart that if he did not afford him an opportunity to furnish a part of the pork meat, that he would expose him in the public prints. When, after making some further objections about Mr. Murphy, the Inspector, making contracts for the purchase of pork, he consented to purchases being made by other parties. Mr. Mansur had been furnishing his own meat, bulk shoulders at 6c. and bacon shoulders at 7c. per pound, when all purchases since have been made for bulk shoulders at 5 12-100c. and bacon shoulders at 6 12-100c. per pound, and the testimony is, that plenty of good quality could have been purchased at this price if not at less rates. It is but just to Mr. Mansur to state that he refused, at all times, to sell for a less price than he furnished for the State, but he should, instead of remarking, as he did to Mr. McTaggart, that the Commissary's duties were hard, and if there was anything to be made by the sales, he had as good a right to make it as any one. He should have used the same diligence to procure the pork on as good terms for the State as any other article of provision. The meat furnished by Mansur was weighed by his brother, and no account kept, except the vouchers and a cash account. Therefore we had no means of ascertaining the correctness of the weights. Mr. Mansur's brother swears that it was correctly done.

THE ACCOUNTS.

We found no errors in the accounts except for the sum of \$166 48, for which the proof was not satisfactory, and we were unable to find the person purporting to execute one of these vouchers. We have no doubt but that it is a forgery perpetrated on the Commissary. When the matter was brought to the notice of the Commissary, he withdrew the vouchers numbered 323, 538, 550½, 562, 567 and 597, covering the above amount, for the purpose of investigating the same, and says, unless a full explanation can be had he will never present them for payment, as he intends the State shall lose nothing thereby. The Commissary has been in the habit of taking from a part of his customers two receipts for payments for the same articles and at the same time. Some of the witnesses say one of the receipts were blank, and some testify that both filled up alike. The design of this officer

in taking these receipts in this way was, undoubtedly, that one should be a duplicate for the purpose of retaining in his own hands, and that the original should be filed in the office of the State Auditor as a voucher. But the manner of taking them, no endorsement of duplicate being made thereon, has given rise to various charges of his designs to bring in double claims. This, with the fact of his withdrawing a part of the vouchers from the Auditor's office after the Committee commenced their investigation, made it necessary for us to examine the books of persons furnishing provisions, where any such books have been kept, and making a careful comparison of the accounts with the vouchers on file.

WHAT IS LEFT UNDONE.

We have been unable to investigate the ration receipts, for the reason that there been no book accounts kept of them. The receipts are on file, but the bookkeeper of the department swears that it would take two weeks to examine them, and there are no means of ascertaining what amount of provisions are on hand without making an inventory. There being nothing in the office showing this fact, for these reasons it is impossible for the Committee to report whether all the provisions have been faithfully applied to the use of the troops, but your Committee know of no facts tending to impeach the honesty of the Commissary General in this respect.

We herewith append the list of the vouchers, with the number, the date, and amount of each that we have investigated, amounting in all to the sum of twenty-two thousand six hundred and ninety-eight dollars and twenty-three cents (\$22,698 23), after deducting the numbers specified as not satisfactory. We also append a statement of the amount of money drawn by the Commissary to the date of our report, amounting to thirty-two thousand and forty-seven dollars and fifty-five cents (\$32,047 55). We also append to this report, the testimony of Lieutenant Jefferson C. Davis, the Government Commissary, at this time, for this State, showing that he estimates the cost per man for each day, at a small fraction over sixteen cents (16) for regular army regulations.

We cannot close this report without remarking, that the haste with which the troops were brought together, and the large amount of provisions necessary for a supply, and the number of inexperienced persons necessarily employed in attending to the troops, rendered mistakes unavoidable, and that no person connected with the department ought to be censured, unless mistakes have occurred through fraud, ignorance or willful negligence.

We herewith append the testimony taken in our investigations. We would, however, remark that we have, in addition to the testimony taken of the soldiers, visited nearly all the companies, and received their statements, which correspond, in every particular, with the testimony taken. We have also personally inspected the provisions on hand in the Commissary's Department, and have come to our

conclusions as set forth in this report from personal inspection, as well as from the testimony.

All of which we most respectfully submit.

T. J. CASON,
ROBERT PARRETT,
JAS. S. HALL,
HORACE HEFFREN.

On motion by Mr. Stotsenburg,

The consideration of the report was informally passed.

The hour having arrived for the consideration of the special order, being House bills Nos. 15, 23, 27, 28, and 35, on the subject of relief from execution,

Mr. Frasier moved to recommit the bills to the Judiciary Committee.

Which was not agreed to.

House bill No. 15. A bill to amend the four hundred and twentieth section of an act entitled "an act to revise, simplify, and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852,

Was taken up.

Mr. Fisher moved that the bill be indefinitely postponed.

Messrs. Edson and Heffren demanded the ayes and noes.

Mr. Holcomb moved the previous question,
Which was seconded by the House.

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Bryan, Cason, Chapman, Collins of Whitley, Combs, Crain, Dashiell, Epperson, Erwin, Feagler, Fisher, Ford, Fordyce, Fraley, Goar, Gresham, Harvey, Haworth, Hayes, Henricks, Hopkins, Horton, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Knowlton, Lane, Lee, McClurg, McLean, Moorman, Mutz, Nebeker, Newman, Orr, Packard, Parrett, Robbins, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Trier, Thomas, Thompson, Turner, Underwood, Warrum, Wells, Woodhull, and Woods—58.

Those who voted in the negative were,

Messrs. Brett, Brucker, Campbell, Collins of Adams, Coopridier, Davis, Dobbins, Edson, Ferguson, Fleming, Frasier, Gifford, Hall, Heffren, Holcomb, Howard, Kitchen, Lods, Lightner, Moss, Owens, Pitts, Prosser, Prow, Roberts, Stotsenburg, Williams, Wilson, and Mr. Speaker—29.

So the bill was indefinitely postponed.

Message from the Senate by Mr. Brown their Secretary :

MR. SPEAKER:

I am instructed by the Senate to inform the House that the Senate has passed the following concurrent resolution of the House, to-wit :

Whereas, By joint resolution of the General Assembly, a recess of about ten days was agreed to, and both Houses took such recess to a day certain; *and, whereas*, by a resolution which passed both House and Senate, the presiding officers thereof, together with the Secretaries thereof, should certify to the Auditor of State the *per diem* and mileage of members of the General Assembly; *and, whereas*, the Auditor of State has refused to draw his warrant upon the Treasurer for the *per diem* of members, upon the certificate of the proper officers of the House and Senate, alleging that he had taken official notice that the General Assembly had taken a recess, and would not draw such warrants, as the resolution of this General Assembly directed. Therefore, be it

Resolved, the Senate concurring, That the Auditor of State be directed to draw his warrants upon the Treasurer of State for the *per diem* of members, as certified by the presiding officers thereof.

House bill No. 23. A bill to amend section 412 of an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852, so as to extend the time for the return of execution and the time for advertisement upon them.

Was taken up.

Mr. Fraser moved to indefinitely postpone the bill.

Mr. Stotsenburg demanded the previous question.
Which was seconded by the House.

Messrs. Heffren and Edson demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bryan, Campbell, Cason, Chapman, Collins of Whitley, Collins of Adams, Coopridner, Crain, Dashiell, Epperson, Erwin, Fordyce, Fraley, Frazier, Gresham, Harvey, Haworth, Hayes, Holcomb, Horton, Hudson, Jones of Vermillion, Jones of Wayne, Kendrick, Lane, Lee, McClurg, McLean, Moor-
man, Mutz, Nebeker, Newman, Orr, Packard, Parrett, Robbins, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Trier, Thomas, Turner, Underwood, Warrum, Wells, Wilson, Woodhull, Woods and Mr. Speaker—54.

Those who voted in the negative were,

Messrs. Black, Brett, Brucker, Combs, ~~Crain~~, Davis, Edson, Ferguson, Fisher, Fleming, Ford, Gifford, Hall, Heffren, Hopkins, Howard, Kitchen, Knowlton, Lods, Lightner, Moss, Owens, Pitts, Prosser, Prow, Stotsenburg and Williams—27.

So the bill was indefinitely postponed.

House bill No. 27. A bill providing for relief by valuation and appraisement upon execution upon judgments on all contracts hereafter made.

Was taken up.

Mr. Stotsenburg offered the following amendment:

Strike out the words "two-thirds," in the fourth line, and insert the words "one-half," in lieu thereof.

Mr. Heffren moved that the bill and pending amendment be indefinitely postponed.

Mr. Packard moved the previous question,
Which was seconded by the House.

Messrs. Stotsenburg and Heffren demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Bryan, Cason, Chapman, Collins of Whitley, Collins of Adams, Combs, Crain, Erwin, Fraley, Goar, Harvey, Hayes, Heffren, Henricks, Horton, Hudson, Hurd,

Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Lane, Lee, McClurg, McLean, Mutz, Nebeker, Newman, Packard, Prosser, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Trier, Thomas, Underwood, Warrum, Wells, Woodhull, Woods, and Mr. Speaker—46.

Those who voted in the negative were,

Messrs. Black, Brett, Brucker, Campbell, Collins of Adams, Coop-
rider, Dashiell, Davis, Dobbins, Edson, Epperson, Feagler, Ferguson,
Fisher, Fleming, Ford, Fordyce, Frasier, Gifford, Hall, Haworth,
Holcomb, Hopkins, Howard, Kitchen, Knowlton, Lods, Lightner,
Moorman, Moss, Orr, Owens, Parrett, Pitts, Prow, Robbins, Sloan,
Stotsenburg, Thompson, Williams and Wilson—41.

So the bill was indefinitely postponed.

House bill No. 28. A bill providing for the redemption of real
property sold upon execution within this State.

Was taken up.

Mr. Stotsenburg moved that the bill be considered as engrossed,
and read a third time now, and demanded the previous question.

Which was seconded by the House.

The motion to consider as engrossed prevailed, and the bill was
read a third time.

Mr. Woods moved to re-commit the bill to the Committee on the
Judiciary, with the following instructions:

Amend by striking out, in the fifth line of section 1, the words
“when redeemed,” and all in the sixth and seventh lines, and insert
the following: “When redeemed, the purchaser shall have the rents
accruing from said land, and he shall be accountable for waste.”

Mr. Smith of Bartholomew moved that the bill and amendment be
indefinitely postponed.

Messrs. Smith of Bartholomew and Stotsenburg demanded the
ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Campbell, Crain, Erwin, Fordyce, Frasier,
Harvey, Hayes, Heffren, Jones of Tippecanoe, Lane, McClurg, Mc-

Lean, Mutz, Nebeker, Newman, Packard, Parrett, Smith of Bartholomew and Woodhull—20.

Those who voted in the negative were,

Messrs. Anderson, Black, Brett, Brucker, Cameron, Cason, Chapman, Collins of Whitley, Combs, Coopridger, Dashiell, Davis, Dobbins, Edson, Epperson, Feagler, Ferguson, Fisher, Fleming, Ford, Fraley, Gifford, Goar, Hall, Haworth, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lee, Lightner, Moorman, Moss, Orr, Owens, Pitts, Prosser, Prow, Robbins, Roberts, Sloan, Sherman, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Warrum, Wells, Williams, Wilson, Woods and Mr. Speaker—64.

So the motion to indefinitely postpone did not prevail.

The question recurring on the motion to re-commit with instructions.

Mr. Allen offered the following further instructions:

Amend, that the Sheriff, at the time of sale, shall execute to the purchaser a certificate of purchase which will entitle him to a deed at the expiration of twelve months, if the land is not redeemed; also providing that in all cases the Sheriff shall have the property appraised, and if it sells for two-thirds the appraised value there shall be no redemption.

The motion to re-commit to the Committee on the Judiciary, with instructions, then prevailed.

On motion,
The House adjourned till 9 o'clock to-morrow morning.

FRIDAY, MORNING, 9 o'clock, }
 May 24, 1861. }

House met pursuant to adjournment.

On motion,

The reading of the Journal was dispensed with.

The Speaker laid before the House the following communication from the Superintendent of Public Instruction:

DEPARTMENT OF PUBLIC INSTRUCTION, OFFICE OF SUP'T, }
 Indianapolis, May 23, 1861. }

TO THE HON. CYRUS M. ALLEN,
Speaker of the House:

DEAR SIR: The following communication has been made to the Senate in answer to a resolution of that Body, asking the reasons why the school revenue has not been apportioned.

I deem it due to myself to enclose a copy, to be read before your honorable Body.

MILES J. FLETCHER,
Sup't Public Instruction.

TO THE HON. JOHN R. CRAVENS,
President of the Senate:

DEAR SIR: In reply to the Senate's resolution of inquiry as to the delay in making the apportionment of the school revenue, I would submit the following:

Since the establishment of our present school system, great difficulty has been experienced each year by the failure of the county auditors to report before the time the Superintendent was required to make the apportionment. My predecessors have been obliged to make the apportionment by guess, always disbursing a less amount than they would had they been in possession of the county auditor's reports. The overplus would never be heard of again, and up to the time of my entering upon the duties of the office there had been a loss of \$303,921 68 to the school revenue, all the result of making the apportionments by guess.

The Legislature, at its last session, endeavored to remedy this matter by making each county, whose auditor failed to report, subject to a diminution of one hundred dollars in the apportionment, which sum the county could recover from the auditor.

This provision of the law may prevent the recurrence hereafter of the difficulty, but it has entirely failed this year.

There may, however, be some excuse in the present instance. The law was passed among the last acts of your late session. It did not, perhaps, reach some of the auditors before the time they were required to report to me. In addition to this, the delinquent list being unusually large, they say it was impossible for them to make their reports at the time required.

Whether these excuses are satisfactory or not, it is a fact that when the time came for my apportionment, twenty-five counties had not reported. Having carefully considered the matter, and remembering the large amounts that had been lost by guess work, and knowing the inextricable confusion of our books for such a course, I determined not to make the apportionment until I had received every report, and would be able to make a full and complete apportionment of the entire school revenue, leaving no balance scattered in the various counties of the State. The counties have, up to this date, all reported but two. I would respectfully inquire whether, under existing circumstances, I shall subject the delinquent counties to the required diminution of one hundred dollars?

From quite a number of counties corrections have come in since their reports were received, showing conclusively that the auditors, in order to comply with the law, have reported by guess.

I enclose a letter received this morning from White County, which is a specimen of the kind received on this subject, showing you the difficulty under which I have labored, and still labor, in making this apportionment. Another matter I would suggest to your honorable Body. The 111th section of the school law shows clearly the way in which the county auditors and treasurers should be paid for the collection and disbursement of school revenue. Notwithstanding this, and a circular upon this point sent by me to these offices explaining the matter fully, many of them still retain their fees from the school revenue in direct violation of the said 111th section of the school laws.

On the 22d of April, the day on which the auditors should have reported, I addressed all the delinquents, calling upon them to promptly act in this matter. To some of them I have written three and four times, and, up to this date, have received the reports from all the Counties save the two named above.

The following is a list of the names of the counties from which reports were *not* received at the time required by law, and also the names of the Auditors of said counties:

COUNTIES.	AUDITORS.
Gibson.....	W. S. Hargrave.
Grant.....	Thomos Dean.
Crawford.....	Dunbar Patrick.
Madison.....	J. S. Sigler.

COUNTIES.

AUDITORS.

Blackford.....	R. C. Anderson.
Newton.....	A. Sharpe.
Vigo.....	E. B. Allen.
Spencer.....	R. S. Crosby.
Henry.....	J. S. Ferris.
Tippecanoe.....	—— Naylor.
Delaware.....	G. W. Deitz.
Franklin.....	J. H. Quick.
Vermillion.....	G. W. English.
Posey.....	T. F. Prosser.
Floyd	D. D. Byrne.
Brown.....	S. Manville.
Randolph.....	G. A. Jobes.
Decatur.....	W. H. Reed.
Union.....	S. T. ———.
Dearborn.....	E. T. Crosby.
Boone.....	J. B. Pitser.
Fountain.....	Wm. Lamb.
Marion.....	J. T. Wright.
Martin.....	E. B. Mason.
Benton.....	Wm. Jones.

I should respectfully suggest that the 113th section of the school laws be so amended as to require the County Auditors to report to the Superintendent on the second Mondays of May and November, the Superintendent to make his apportionment on the first Mondays of June and December, and the County Auditors distribute the revenue to the Township Trustees on the third Monday of June in each year.

MILES J. FLETCHER,
Sup. Pub. Instruction.

Which,
On motion,
Was referred to the Committee on Education.

Mr. Jenkinson offered the following resolution:

Resolved, by the General Assembly of the State of Indiana, That his Excellency, the Governor, be requested to turn over to the service of the United States four regiments of the troops now mustered into the service of the State of Indiana, and immediately retire the remainder of said troops from the service of the State on half pay, according to the act of this General Assembly for raising said troops.

The Speaker having decided the resolution out of order,
E. S. H. J.—15.

Mr. Jenkinson sent up his appeal in writing as follows :

A resolution having been introduced requesting the Governor to turn over four regiments to the service of the United States and immediately retire the remainder of the troops on half pay, and the Speaker having ruled the resolution out of order, I appeal from that decision.

On motion by Mr. Gresham,
The appeal was laid on the table.

Mr. Gresham moved to take up

House bill No. 37. A bill to establish Home Guards in cities and other municipal incorporations in counties.

Which was agreed to.

Mr. Gresham offered the following amendment:

Amend section nine by adding after the word "battalion" in the third line the word "regiment."

Which was adopted.

Mr. Veatch offered the following amendment:

And the officers and members of such companies shall take the same oath as is required of the militia of the State.

Which was adopted.

Mr. Edson offered the following amendments:

Amend the tenth section by adding after the word "counties" in the second line the words "or townships."

Amend section ten by adding the words "or townships."

Which were adopted.

Mr. Gresham offered the following amendment:

Amend section seven by adding the following: *Provided, That* any company formed under this act may provide by its constitution and by-laws for the time and manner of the election of its captain and subordinate officers, and after return of said election shall have been made to the Adjutant General said officers shall be commissioned as provided for in the general militia laws of this State.

Which was adopted.

Mr. Edson offered the following amendment :

Insert after the words "County Commissioners," in section ten, the words "and Township Trustees" in conjunction with said commissioners.

Which was adopted.

Mr. Gresham moved that the bill be considered as engrossed and read a third time now.

Which was agreed to.

House bill No. 37 was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Branham, Brett, Bryan, Bundy, Campbell, Cason, Collins of Whitley, Collins of Adams, Coopridger, Dashiell, Davis, Dobbins, Edson, Epperson, Erwin, Feagler, Fleming, Ford, Fordyce, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermilion, Jones of Wayne, Kendrick, Kitchen, Lane, Lee, Lightner, McClurg, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Owens, Packard, Parrett, Pitts, Prow, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Miami, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—75.

Those who voted in the negative were,

Messrs. Black, Combs, Ferguson, Fraley, Knowlton, Lods, Prosser, Stevenson and Warrum—9.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Edson,

The following was substituted as the title to the bill :

An act to establish Home Guards in cities, incorporated towns, townships and counties, and providing for the levying of certain taxes therein named.

Mr. Collins of Adams presented the following protest :

The undersigned, a member of the House of Representatives, respectfully enters his protest against the showing of the Journal upon the passage of a joint resolution wherein the Journal shows he was present and refused to vote. His reason for refusing to vote was, that the House refused to hear the reason which would govern him in his vote; which reason is, that he does not recognize the right of any body of public servants to give instructions to any other body of public servants, believing the entire power of giving instructions to any body of public servants remains with the people, and they alone have the right to exercise the power; and the undersigned will ever protest.

May 24, 1861.

P. N. COLLINS.

Mr. Thomas asked and obtained leave to introduce

House bill No. 50. A bill authorizing commanding officers of the military to abate liquor establishments, approved May 24, 1861.

Read a first time and passed to a second reading.

Mr. Veatch, from the Committee on the Judiciary, to whom was referred House bill No. 28, with instructions to report at 10 o'clock this morning, asked an extension of time for the Committee.

Which was granted.

Mr. Edson moved to take up Senate message containing Senate bill No. 30.

Which was agreed to.

Message from the Senate by Mr. Brown, their Secretary :

MR. SPEAKER :

I am instructed by the Senate to inform the House of Representatives that the Senate has passed the following bills thereof, to-wit :

Senate bill No. 30. A bill to secure the collection of rent in certain cases therein named, and to enable persons of small means to rent lands without giving personal or other security therefor.

Was read a first time.

Mr. Edson moved to suspend the rules and read the bill a second time by its title now.

Mr. Gresham moved to lay the motion to suspend the rules, on the table.

Messrs. Edson and Gresham demanding the ayes and noes,

Those who voted in the affirmative were,

Messrs. Brucker, Bryan, Bundy, Campbell, Epperson, Erwin, Fraley, Frasier, Gresham, Hall, Harvey, Heffren, Henricks, Horton, Hurd, Kendrick, Lane, Lee, McClurg, Nebeker, Newman, Orr, Packard, Parrett, Prow, Robbins, Sloan, Sherman, Stotsenburg, Thomas, Underwood, Veatch, Wells, Williams and Woods—35.

Those who voted in the negative were,

Messrs. Anderson, Atkinson, Black, Brett, Cason, Collins of Whitley, Collins of Adams, Combs, Coopridier, Davis, Dobbins, Edson, Feagler, Ferguson, Fleming, Ford, Fordyce, Gifford, Goar, Haworth, Holcomb, Hopkins, Howard, Hudson, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kitchen, Knowlton, Lods, Lightner, Moorman, Moss, Mutz, Owens, Pitts, Prosser, Randall, Smith of Miami, Stevenson, Trier, Thompson, Turner, Warrum, Wilson, Woodhull and Mr. Speaker—48.

So the motion to lay on the table did not prevail.

The ayes and noes being taken upon the suspension of the rules,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Branham, Bryan, Bundy, Cason, Collins of Whitley, Collins of Adams, Combs, Coopridier, Dobbins, Edson, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Haworth, Hayes, Holcomb, Howard, Hudson, Jenkinson, Jones of Vermillion, Jones of Wayne, Kitchen, Lods, Moorman, Moss, Mutz, Orr, Owens, Pitts, Prosser, Randall, Smith of Miami, Stevenson, Stotsenburg, Trier, Thompson, Turner, Warrum, Wells, Wilson, Woodhull and Mr. Speaker—46.

Those who voted in the negative were,

Messrs. Black, Brett, Campbell, Dashiell, Davis, Epperson, Erwin, Feagler, Ferguson, Goar, Gresham, Hall, Harvey, Heffren, Henricks, Hopkins, Horton, Hurd, Kendrick, Lane, Lee, Lightner, McClurg, Nebeker, Newman, Packard, Parrett, Prow, Robbins, Roberts, Sloan, Sherman, Thomas, Underwood, Veatch, Williams and Woods—37.

So the rules were not suspended, and the bill passed to the second reading.

REPORTS FROM STANDING AND SELECT COMMITTEES.

Mr. Bundy, from the Judiciary Committee, made the following report:

MR. SPEAKER :

The Judiciary Committee, to whom was referred House bill No. 41, introduced by Mr. Hayes, a bill to amend the first section of an act prescribing the powers and duties of the Auditor of State, approved May 27, 1852, have had the same under consideration, and have instructed me to report the bill back and recommend its passage.

Mr. Bundy moved that House bill No. 41 be considered as engrossed and read a third time now.

Which was agreed to.

House bill No. 41. A bill to amend the first section of an act prescribing the powers and duties of the Auditor of State, approved May 27, 1852.

Was read a third time, and,

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bryan, Bundy, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Coopridger, Dashiell, Davis, Dobbins, Epperson, Erwin, Feagler, Ferguson, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henrieks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, McClurg, Moorman, Moss, Mutz, Newman, Orr, Owens, Packard, Parrett, Pitts, Prosser, Prow, Randall, Robbins, Roberts, Sloan, Sherman, Sloan, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—83.

No one voting in the negative.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Bundy, from the Judiciary Committee, made the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred House bill No. 43, introduced by Mr. Jones of Wayne, have had the same under

consideration, and instruct me to report the bill back and recommend its passage.

Mr. Bundy moved to consider the bill as engrossed, and read it a third time now.

Which was agreed to.

House bill No. 43. A bill to legalize the incorporation of towns, under "an act for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties," approved June 11, 1852, and all by-laws, rules, regulations and proceedings adopted in pursuance thereof, &c.

Was read a third time, and the question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Bryan, Bundy, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Coopridger, Dashiell, Davis, Dobbins, Edson, Epperson, Erwin, Feagler, Ferguson, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Hopkins, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, McClurg, Moorman, Mutz, Nebeker, Newman, Orr, Owens, Packard, Parrett, Pitts, Prosser, Prow, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Miami, Stevenson, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull, and Mr. Speaker—81.

No one voting in the negative.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Black called up,

House bill No. 49. A bill to amend section 7 of an act entitled "An act providing for the election of clerks of the Circuit Court, and prescribing some of their duties," approved June 7, 1852; and supplemental thereto; prescribing the management and disposition of certain funds therein named; and the duties of the county auditors and treasurers therewith, and fixing the penalties for the violation of this act, and repealing all laws conflicting with this act.

Which was introduced yesterday, but not read.

Was read a first time, and passed to a second reading.

Mr. Cason, from a select committee, made the following report :

MR. SPEAKER :

The select committee to examine the books of the Adjutant General, and to report whether the companies organized under the six regiment bill have been accepted in pursuance to the provisions of said act, instruct me to submit the following report :

That so far as appears by the books of the Adjutant General, all the companies, except three or four, have been organized in accordance with the provisions of the above entitled act, and that these companies are now organized to their satisfaction, and mustered into service.

Which,

On motion by Heffren,
Was laid on the table.

Mr. Brett, from the select committee on House bill No. 48, made the following report :

MR. SPEAKER :

The select committee, to whom was referred House bill No. 48, entitled "An act to amend sections 75, 78, 79, 95, 104, 142 and 143 of an act entitled 'An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, &c. ;'" have had the same under consideration, and after a careful examination of the amendment proposed in said bill, have directed me to report the same back to the House with the accompanying amendment, and unanimously recommend its passage.

Add the following section to the bill :

SEC. 11. Whereas an emergency exists for the immediate taking effect of this act, therefore this act shall take effect and be in force from and after its passage; and it is hereby made the duty of the Secretary of State to furnish each county auditor in this State with a copy of this act.

In the 104th section fill the blank with the word "five."

The report was concurred in.

Mr. Brett moved that the bill be considered engrossed, and read a third time now.

Which was agreed to.

The question being on the passage of the bill.

Mr. Heffren moved the previous question.
Which was seconded by the House.

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bryan, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Coopridge, Dashiell, Davis, Edson, Epperson, Erwin, Feagler, Ferguson, Fleming, Fordyce, Fraley, Frasier, Goar, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lods, Lane, Lee, Lightner, McClurg, Moorman, Mutz, Nebeker, Newman, Orr, Owens, Packard, Parrett, Pitts, Polk, Prosser, Prow, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Williams, Wilson, Woodhull, Woods and Mr. Speaker—81.

Messrs. Ford and Stotsenburg voting in the negative—2.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Brett offered the following amendment to the title :

“And to repeal an act entitled “An act to amend the 143d section of an act entitled ‘An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors and appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State,’ approved June 21, 1852;” approved March 4, 1859.

Which was adopted by unanimous consent.

Mr. Allen asked and obtained leave to introduce,

House bill No. 51. A bill to provide for the organization of Circuit Courts; the election of judges thereof; defining their powers and duties, and the jurisdiction of said courts, and fixing the salaries of said judges, and the number of terms of said courts, and providing for adjourned terms of said courts, and transferring the probate business of the Common Pleas Court to the Circuit Court, and repealing all former laws on the subject.

Mr. Allen moved to suspend the rules, and read the bill a first and second time by its title now.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Black, Brett, Brucker, Bryan, Bundy, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Dashiel, Edson, Epperson, Erwin, Ferguson, Fisher, Fleming, Fordyce, Frasier, Goar, Hall, Heffren, Henricks, Holcomb, Hopkins, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Wayne, Jones of Vermillion, Kitchen, Lods, Lane, Lee, Lightner, McClurg, Moorman, Nebeker, Newman, Orr, Owens, Parrett, Pitts, Polk, Prow, Randall, Robbins, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stotsenburg, Trier, Thomas, Thompson, Underwood, Veatch, Warrum, Woodhull, Woods and Mr. Speaker—63.

Those who voted in the negative were,

Messrs. Feagler, Haworth, Howard, Stevenson and Williams—5.

So the rules were suspended, and the bill read a first time by its title.

Mr. Allen moved to read the bill a second time now by its title. Which was agreed to.

Was read the second time, and referred to the Committee on the Organization of Courts.

On motion,

The House adjourned till 2 o'clock P. M.

2 o'clock, P. M.

The House met.

Message from the Senate, by Mr. Brown, their Secretary :

MR. SPEAKER:

I am instructed to inform the House that the Senate has passed the following concurrent resolution thereof:

In which the concurrence of the House is respectfully requested.

A concurrent resolution instructing the Auditor of State to draw warrants for the full pay of the officers, clerks and pages of the General Assembly, for the same time for which the members of the General Assembly draw pay:

Be it resolved by the General Assembly of the State of Indiana, That the Auditor of State is hereby instructed to draw his warrant upon the Treasurer of State in payment of the claims of the officers, clerks and pages of this General Assembly for the full number of days, from the commencement of the session, in the same manner, and for the same time that he is required to draw for the pay of the members of the General Assembly.

The question being on the adoption of the concurrent resolution,
It was adopted.

BILLS INTRODUCED.

By Mr. Veatch,

House bill No. 52. A bill supplemental to an act entitled "an act for the organization and regulation of the Indiana Militia, prescribing penalties for violations of said regulations, providing for the election and appointment of officers, defining the duties of military and civil officers, and penalties for the neglect or violation thereof, providing for courts martial, councils of administration and military encampment, making appropriations for the support of said militia, repealing all laws heretofore enacted on that subject, saving certain acts therein named, and declaring an emergency for the immediate taking effect thereof.

Was read a first time and passed to a second reading.

By Mr. Lane,

House bill No. 53. A bill to amend section thirty-four of an act to provide for the incorporation of railroad companies, approved May 11, 1852.

Was read a first time and passed to a second reading.

By Mr. Bundy,

House bill No. 54. A bill to amend the ninth section of an act regulating the fees of officers, and repealing former acts in relation thereto.

Which was read a first time and passed to a second reading.

On motion,
The House adjourned till 9 o'clock to-morrow morning.

SATURDAY MORNING, 9 o'clock, }
May 25, 1861. }

The House met.

On motion,
The reading of the journal was dispensed with.

PETITIONS, MEMORIALS, REMONSTRANCES AND RESOLUTIONS.

Mr. Fisher offered the following resolution:

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency and necessity of making some further provision for sick soldiers, as well those who are mustered into the service of the United States from this State, as for those who are retained in the service of this State.

Which was adopted.

Mr. Bundy asked and obtained leave to introduce

House bill No. 55. A bill authorizing county boards to purchase a portion of the State bonds to be issued by this State.

Which was read a first time.

Mr. Bundy moved the rule be suspended, and the bill read a second time now by its title.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bryan, Bundy, Cason, Collins of Whitley, Collins of Adams, Chapman, Combs, Coopridier, Crain, Dashiell, Davis, Dobbins, Edson, Epperson, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Giedoff, Goar, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Hudson, Hurd, Jones of Wayne, Jones of Vermillion, Kitchen, Lods, Lane, Lee, Lightner, McClurg, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Packard, Parrett, Pitts, Polk, Prosser, Prow, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Warrum, Wells, Wilson, Woodhull, Woods and Mr. Speaker—78.

No one voting in the negative.

So the rules were suspended, and the bill read a second time by its title.

Mr. Bundy moved that the bill be considered engrossed and read a third time now.

Which was agreed to.

House bill No. 55. A bill authorizing county boards to purchase a portion of the State bonds to be issued by this State.

Was read a third time, and,

The question being, shall the bill pass?

Mr. Nebeker moved the previous question,
Which was seconded by the House.

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bryan, Bundy, Campbell, Cason, Chapman, Collins of Whitley, Collins of Adams, Combs, Coopridier, Dashiell, Davis, Dobbins, Edson, Epperson, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Hall, Harvey, Haworth, Hayes, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lods, Lane, Lee, Lightner, McClurg, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Packard, Pitts, Prosser, Prow, Randall, Roberts, Sherman, Smith of Miami, Thomas, Thompson, Veatch, Warrum, Wells, Wilson, Woodhull, Woods, and Mr. Speaker—79.

Those who voted in the negative were,

Messrs. Crain, Feagler, Heffren, Parrett, Polk, Robbins, Sloan, Smith of Bartholomew, Stevenson, Stotsenburg, Trier and Underwood—12.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. McLean, from the Committee of Ways and Means, asked and obtained leave to introduce

House bill No. 56. A bill fixing the salary and compensation of the Board of Control, and other officers of the Northern State Prison, and repealing all laws inconsistent therewith.

Which was read a first time.

Mr. Smith of Bartholomew moved to suspend the rules and read the bill a second time now by its title.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brucker, Bryan, Bundy, Campbell, Cason, Chapman, Collins of Whitley, Collins of Adams, Combs, Coopridger, Crain, Dashiell, Davis, Dobbins, Edson, Epperson, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lods, Lane, Lee, Lightner, McClurg, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Parrett, Pitts, Polk, Prosser, Prow, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Underwood, Veatch, Warrum, Wells, Woodhull, Woods and Mr. Speaker—80.

No one voting in the negative.

So the rules were suspended and the bill read a second time by its title.

Mr. Lane moved to recommit the bill with instructions to reduce the salaries of officers.

Mr. Stotsenburg moved to lay Mr. Lane's motion on the table. Which was agreed to.

Mr. Stotsenburg moved to consider the bill as engrossed and read it a third time now, and moved the previous question.

Which was seconded by the House.

The motion prevailed, and

House bill No. 56. A bill fixing the salary and compensation of the Board of Control, and other officers of the Northern Indiana State Prison, and repealing all laws inconsistent therewith.

Was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bryan, Bundy, Cameron, Campbell, Cason, Chapman, Collins of Whitley, Combs, Coopridger, Crain, Dashiel, Davis, Dobbins, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Frazier, Gifford, Goar, Hall, Harvey, Haworth, Hayes, Heffren, Henriks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lods, Lane, Lee, Lightner, McClurg, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Owens, Packard, Parrett, Pitts, Polk, Prosser, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stotsenburg, Trier, Thomas, Thompson, Underwood, Veatch, Warrum, Wells, Wilson, Woodhull, Woods, and Mr. Speaker.—84.

No one voting in the negative.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

REPORTS FROM COMMITTEES, STANDING AND SELECT.

Mr. Fisher, from the Committee of Ways and Means, made the following report:

MR. SPEAKER:

The Committee of Ways and Means, to whom was referred House bill No. 39, a bill to authorize the removal of convicts from the Southern Prison, and providing for the employment of convicts in each of said Prisons, directing what counties shall send their convicts to the Northern Prison, and providing for carrying on the work in building said Northern Prison, and making appropriations for the support of

said Prisons, have had said bill under consideration, and have directed me to report the same back with the following amendments, and when so amended recommend its passage :

1. Amend by inserting in the second line of section 2, between the words "any" and "person," the word "male."

2. Strike out of the first line of section 4, the word "Governor," and out of the second line the words "of the State," and insert the following: "Directors may in." Also, strike out the word "his" in said section line, and insert "their."

3. Insert in the third line of section 4, between the words "discretion" and "direct," the words "under the advice and direction of the Governor."

4. Add to the end of the seventh line in section 4, the word "goods."

5. Also, amend the tenth line by inserting between the words "State" and "or," the following: "or for the use of the State troops subject to the approval of the Governor." Also, amend said line by striking out "he" and inserting "them." Also, add to the end of line twelve, section 4, these words, "according to the laws now in force on the subject."

6. Amend section 7 by filling the first blank with the word "thirty."

7. Amend section 7 by inserting in line 13, between the word "Prison" and the words "to be paid," the following: "and to the payment of the expenses of said Prison for the month of January, 1861."

8. Amend section 8 by inserting in the first blank the word "eight." Also, insert between the words "thousand" and "dollars," in the second line the words "five hundred."

Mr. Sherman moved to concur in the report, with the following amendment:

Strike out "thirty thousand" and insert "sixty thousand" to fill the first blank in the bill.

Mr. Parrett moved the previous question.

Which was seconded by the House.

The question being on Mr. Sherman's amendment,
It was not adopted.

The question recurring on the motion to concur in the report of the Committee,

It was concurred in and the bill ordered to be engrossed.

Mr. Veatch, chairman of the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 28, have had the same, with the instructions of the House, under consideration, and direct me to report the said bill back to the House with the following amendments:

Strike out all after the enacting clause, and insert as follows:

That whenever hereafter any real property shall be sold on execution, or order of sale issued upon any judgment or decree in this State, the owner thereof may redeem the same at any time within one year from the date of such sale, by paying to the purchaser, his heirs or assigns, or to the Clerk of the Court from which such execution or order of sale may have issued, the purchase money, with interest thereon, at the rate of ten per cent. per annum; Provided, however, that in all cases where such real property shall be appraised, and shall sell for two-thirds of the appraised value thereof, no redemption shall be allowed, but the title of the purchaser shall be complete from the day of sale.

SECTION 2. In all cases, where real property shall be sold for less than two-thirds of the appraised value, the sheriff shall execute to the purchaser a certificate of purchase, which shall entitle the holder thereof to a deed of conveyance, to be executed by the sheriff, or other officer making such sale, at the expiration of one year from the date of such sale.

SEC. 3. All laws and parts of laws coming in conflict with the provisions of this act, be and the same are hereby repealed, and, whereas, an emergency exists for the immediate taking effect of this act, therefore the same shall be in force from and after its passage.

Amend the title to read as follows:

An act authorizing the redemption of real estate sold on execution or order of sale, in certain cases therein named, and repealing all laws in conflict therewith,

And, when so amended, we recommend its passage.

Mr. Heffren moved to reconsider the vote by which House bill No. 28 was considered as engrossed,
Which was agreed to.

Mr. Allen moved to recommit the bill to the Committee on the Judiciary,
Which was agreed to.
E. S. H. J.—16.

Mr. Cason moved to take up the report of the Select Committee of Investigation into the Commissary Department,
Which was agreed to.

Mr. Stotsenburg moved to dispense with the reading of the depositions of witnesses,
Which was not agreed to.

The testimony was then read, and,
On motion,
The report of the Committee and the depositions were laid upon the table.

On motion by Mr. Orr,
The House adjourned till 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met.

Mr. Stotsenburg moved to take from the table the report of the Select Committee to investigate the Commissary Department,
Which was agreed to.

Mr. Lee moved to concur in the report, with the following amendment :

Resolved, That the Governor be requested to remove the present Commissary General for malfeasance in office.

Mr. Stotsenburg moved to amend the amendment by striking out the words "malfeasance in office," and insert instead thereof, "for incompetency to discharge the duties of his office,

Which was agreed to.

Mr. Prosser moved to amend further by inserting the words "malfeasance and" before the word "incompetency,"
Which was agreed to.

The question being on the motion to concur with the amendment as amended,

Mr. Prosser moved the previous question,
Which was seconded by the House.

Messrs. Atkinson and Hayes demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Brett, Brucker, Bryan, Bundy, Campbell, Cason, Chapman, Collins of Whitley, Combs, Coopriders, Dashiell, Dobbins, Edson, Epperson, Feagler, Ferguson, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Hall, Harvey, Hayes, Heffren, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jones of Wayne, Kitchen, Kendrick, Lane, Lee, Lightner, Lods, McLean, Moorman, Moss, Nebeker, Orr, Owens, Packard, Pitts, Prosser, Prow, Randall, Robbins, Sloan, Sherman, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Underwood, Veatch, Warrum, Wells, Wilson, Woodhull and Mr. Speaker—67.

No one voting in the negative.

Present and refusing to vote—Smith of Bartholomew.

So the report was concurred in and the amendment adopted.

Mr. Cason moved that three hundred copies of the report of the Select Committee on the Commissary Department be printed for the use of members of the House, in connection with those printed for the use of the Senate,

Which was agreed to.

Mr. Lane asked and obtained leave to introduce the following resolution :

Resolved, That a committee of five be appointed to ascertain whether a suitable building can be procured to be used as the headquarters of the Ordinance and Quartermaster's departments, and also as a State Military Depot, Arsenal or Armory, and report by bill or otherwise.

Which was adopted.

The Speaker announced the committee as follows : Messrs. Lane, Cameron, Crain, Stotsenburg and Orr.

Mr. Woodhull, from the Committee on the Judiciary, made the following report :

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 40, have had the same under consideration, and instructed me to report it back to this House, with the accompanying amendment, and when so amended recommend its passage.

Amend by striking out all after the enacting clause, and insert the following:

That the counties of Lagrange, Steuben, Noble, Dekalb and Allen shall hereafter constitute a new Judicial Circuit, to be called the Fourteenth Judicial Circuit.

SEC. 2. The Circuit Courts in said circuit shall commence in the county of Lagrange on the first Mondays in February and the second Mondays in August in each year; and in the county of Steuben on the Monday next succeeding the courts in the county of Lagrange; in the county of Dekalb on the Monday next succeeding the courts in the county of Steuben; in the county of Noble on the Monday succeeding the courts in the county of Dekalb; and in the county of Allen on the Monday succeeding the courts in the county of Noble.

SEC. 3. Said courts, if the business thereof requires it, shall sit in the counties of Lagrange, Steuben, Dekalb and Noble, two weeks each, and in the county of Allen so long as the business thereof requires it.

SEC. 4. At the general election on the second Tuesday of October next, there shall be elected by the qualified voters of said counties, a judge for said Fourteenth Judicial Circuit, who shall be commissioned and qualified, and hold his office in the manner required by law.

SEC. 5. It is hereby made the duty of the prosecuting attorney elected in the Tenth Judicial Circuit, to prosecute the pleas of the State in the said Fourteenth Judicial Circuit, until the expiration of his present term of office, and until his successor shall be elected and qualified.

SEC. 6. It is hereby declared that on taking effect of this act, there is a vacancy in the office of judge in said Fourteenth Circuit, and the Governor shall fill said vacancy by appointment, as in other cases of vacancy.

SEC. 7. All process issued, or that may issue in said counties, are made returnable to the first day of the next succeeding terms of court, to be holden in pursuance of this act.

SEC. 8. It is hereby declared that an emergency exists for the immediate taking effect of this act, and the same shall therefore be in force from and after its passage.

Mr. Smith of Bartholomew, moved to make the report and bill the special order for Monday, at 2 o'clock P. M.

Which was agreed to.

Mr. Dobbins moved to take up Senate messages.

Which was agreed to.

Message from the Senate by Mr. Brown, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives of the passage of the following bill, to-wit:

Senate bill No. 28. A bill to provide for the incorporation of street railroad companies.

In which the concurrence of the House is respectfully requested.

Also—

Senate bill No. 26. A bill to authorize the process of garnishment against clerks of the Circuit and Common Pleas Courts, sheriffs, justices of the peace, constables, and all other officers who collect money by virtue of their office, and executors, administrators, guardians and trustees.

Also—

Senate bill No. 27. A bill supplemental to an act entitled "an act to provide for the relocation of county seats, and for the erection and preparation of county buildings in counties where two-thirds of the legal voters have petitioned, designating a site and a house to be used as a court house, and where a deed has been executed, to provide also for the transfer of any equitable title for the termination of actions growing out of such relocation, and for the transfer of the former county property," approved December 22, 1858, so as to legalize and confirm the action of boards of commissioners in cases where public property has been conveyed under the provisions of such act, and to provide for the conveyance of the asylum for the poor in certain cases, and to provide also that the trustees created under the act to which this is supplemental shall constitute a body politic and corporate.

In which the concurrence of the House is respectfully requested.

Senate bills Nos. 26, 27 and 28 were read a first time and passed to a second reading.

Mr. Henricks moved to take up

House bill No. 32. A bill supplemental to an act to authorize the construction of levees and drains, approved June 12, 1852.
Which was agreed to.

Mr. Henricks moved to reconsider the vote by which the bill was ordered to be engrossed.
Which was agreed to.

On motion by Mr. Henricks,
The bill was referred to a select committee of three.

The Speaker announced the committee as follows:

Messrs. Henricks, Anderson and Harvey.

Mr. Woodhull presented the following claim:
Which was referred to the Committee of Ways and Means, without reading.

STATE OF INDIANA:

OFFICE OF AUDITOR OF STATE, }
Indianapolis, May 25, 1861. }

It is hereby certified that A. A. Chapin, Prosecuting Attorney of the 10th judicial circuit of Indiana, entered upon the duties of his office on the 26th of October, 1860; that his salary due on the 1st of January, 1861, amounted to \$90 42; that by a mistake committed at this office, a warrant was issued to him for only \$34 25, and that there consequently remains due the sum of \$56 17. The appropriations made for Prosecuting Attorneys made in 1859, is exhausted and overdrawn. The appropriations made last winter is for the payment of Prosecuting Attorneys' salaries falling due after February 1, 1861. It is therefore out of the power of the Auditor of State to pay the balance due Mr. Chapin without further legislation.

Witness my hand and seal, the day and year above written.

ALBERT LANGE, Auditor of State.

Mr. Edson moved to take up Senate bill No. 30,
Which was agreed to.

Senate bill No. 30. A bill to secure the collection of rent in certain cases therein named, and to enable persons of small means to rent lands without personal or other security therefor.

Was read a second time.

Mr. Stotsenburg offered the following amendment :

Insert after the word "law," in section one, "and whenever any houses or tenements have been or may be let, reserving rent without personal or other security being exacted, the owner or owners may have a lien upon the personal property of the rentee or lessee for the amount of the rent reserved or bargained for, not exceeding one year's rent.

On motion by Mr. Stotsenburg,

The bill and amendment were referred to the Committee on the Judiciary.

Mr. Anderson asked and obtained leave to introduce

House bill No. 57. A bill to provide for the location, change or vacation of public highways, for the assessment of damage sustained by such location, change or vacation, and to repeal sections 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 of an act to provide for the opening, changing or vacating of highways, approved June 17, 1852.

Was read a first time, and passed to a second reading.

Mr. Heffren obtained leave of absence.

Mr. Stotsenburg asked and obtained leave to offer the following resolution :

Resolved, That the Committee on Benevolent Institutions be directed to inquire into the expediency of reporting a bill regulating the salaries of the Superintendents of the Insane and Blind Asylums.

Which was adopted.

On motion,

The House adjourned till 9 o'clock Monday morning.

MONDAY MORNING, 9 o'clock, }
 May 27, 1861. }

The House met.

On motion,
 The reading of the journal was dispensed with.

PETITIONS, MEMORIALS, REMONSTRANCES, AND RESOLUTIONS.

Mr. Fleming offered the following concurrent resolution:

Resolved, That this House do adjourn *sine die*, the Senate concurring, on Friday, the 31st inst.

Mr. Prosser moved to strike out Friday and insert Sunday.

Mr. Robbins offered the following amendment:

That the House will, the Senate concurring, adjourn *sine die* on next Tuesday, the twenty-eighth day of May, 1861.

Mr. Prosser moved to lay the resolution and amendment on the table,

Which was agreed to.

Mr. Fisher moved to reconsider the vote by which the resolution and amendment were laid on the table.

Mr. Edson moved to lay the motion to reconsider on the table.
 Which was agreed to.

REPORTS FROM COMMITTEE.

Mr. Crain, from the Committee on Ways and Means, made the following report:

MR. SPEAKER:

The committee to whom was referred House bill No. 17, introduced by Mr. Veatch, have had the same under consideration and direct me to report the same back and recommend that it be laid on the table.

The report of the committee was concurred in and House bill No. 17 laid on the table.

Mr. Lane moved to take from the table Mr. Holcomb's resolution for the appointment of a committee to apportion the State for Senators and Representatives.

Which was not agreed to.

BILLS ON SECOND READING.

Mr. Black moved to take up House bill No. 49.

Which was agreed to.

House bill No. 49. A bill to amend section seven of an act entitled "an act providing for the election of Clerks of the Circuit Court and prescribing some of their duties," approved June 7, 1852, and supplemental thereto prescribing the management and disposition of certain funds therein named, and the duties of the County Auditors and Treasurers therewith, and fixing the penalties for the violation of this act, and repealing all laws conflicting with this act.

Was read a second time and referred to the Committee on the Judiciary.

Mr. Anderson moved to take up House bill No. 57.

Which was agreed to.

House bill No. 57. A bill to provide for the location, change or vacation of public highways; for the assessment of damage sustained by such location, change or vacation, and to repeal sections 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 of an act to provide for the opening, changing or vacating of highways, approved June 17, 1852.

Was read a second time and referred to the Committee on Roads.

Mr. Thomas moved to take up House bill No. 50.

Which was agreed to.

House bill No. 50. A bill authorizing commanding officers of the military to abate liquor establishments.

Was read a second time and referred to the Committee on Military Affairs.

House bill No. 53. A bill to amend section thirty-four of an act to provide for the incorporation of railroad companies, approved May 11, 1852.

Was read a second time and referred to the Committee on Corporations.

Mr. Underwood offered the following:

Amend by striking out four hundred thousand.

Which,

On motion by Mr. Lane,
Was laid on the table.

Mr. Moorman offered the following:

Amend by striking out four hundred thousand and insert two hundred thousand.

Which,

On motion,
Was laid on the table.

House bill No. 52. A bill for the organization and regulation of the Indiana militia; prescribing penalties for violations of said regulations; providing for the election and appointment of officers; defining the duties of military and civil officers, and penalties for neglect or violation thereof; providing for courts martial, councils of administration, and military encampment; making appropriations for the support of said militia; repealing all laws heretofore enacted on that subject; saving certain acts therein named, and declaring an emergency for the immediate taking effect thereof. Approved May 11, 1861.

Was read a second time and referred to the Committee on Military Affairs.

House bill No. 54. A bill to amend the 9th section of an act regulating the fees of officers, and repealing former acts in relation thereto.

Was read a second time and referred to the Committee on the Judiciary.

House bill No. 47. A bill supplementary to an act entitled "An act for the organization and regulation of the Indiana militia; prescribing penalties for the violation of said regulations; providing for the election and appointment of officers; defining the duties of military and civil officers, and penalties for neglect or violation thereof; providing for courts martial, of administration and military encampment; making appropriations for the support of said militia, repealing all laws heretofore enacted on that subject; saving certain acts therein named, and declaring an emergency for the immediate taking effect thereof.

Was read a second time and referred to the Committee on Military Affairs.

Mr. Hayes offered the following amendment,
Which was referred with the bill.

Amend by striking out the words "one dollar for every day he should have mustered," and insert in lieu thereof the words "two dollars per year."

House bill No. 45. A bill for the preservation and maintenance of swinging bridges across canals within corporate limits of cities and towns within the State of Indiana.

Was read a second time, and,

On motion by Mr. Edson,
Laid on the table.

Senate bill No. 26. An act to authorize the process of garnishment against clerks of the Circuit and Common Pleas Courts, sheriffs, justices of the peace, constables, and all other officers who collect money by virtue of their office; and executors, administrators, guardians and trustees.

Was read a second time and referred to the Committee on the Judiciary.

Mr. Black offered the following amendment:

Amend by inserting in the proper place "and attorneys."

Which was referred with the bill.

Senate bill No. 28. A bill to provide for the incorporation of street railroad companies.

Was read a second time and referred to the Committee on Corporations.

The Speaker laid before the House the following communication from the Auditor of State:

STATE OF INDIANA, OFFICE OF AUDITOR OF STATE, }
INDIANAPOLIS, MAY 27, 1861. }

Hon. C. M. Allen, Speaker of the House of Representatives:

I desire to communicate to you, and through you to the members of the body over which you preside, that the appropriation of \$15,000 for defraying the expenses of the General Assembly now in

special session, has been absorbed by payment out of said fund to within \$200.

Very respectfully,

ALBERT LANGE, *Auditor of State.*

Which,

On motion,

Was referred to the Committee on Ways and Means.

Senate-bill No. 27. A bill supplemental to an act entitled "An act to provide for the re-location of county seats, and the erection and preparation of county buildings, in counties where two-thirds of the legal voters have petitioned, designating a site, and a house to be used as a court-house, and where a deed has been executed; to provide, also, for the transfer of any equitable title; for the termination of actions growing out of such re-location, and for the transfer of the former county property," approved Dec. 22d, 1858; so as to legalize and confirm the action of boards of commissioners in cases where the public property has been conveyed under the provisions of such act; and to provide for the conveyance of the asylum for the poor in certain cases; and to provide, also, that the trustees created under the act to which this is supplemental, shall constitute bodies politic and corporate.

Was read a second time, and referred to the Committee on the Judiciary.

Mr. Fisher offered the following resolution:

WHEREAS, By the School Law passed at the regular session, it is made the duty of County Auditors to make report to the Superintendent of Public Instruction on or before the third Monday of April in each year, under a penalty of one hundred dollars; *and whereas*, it is believed that it is wholly impracticable for many of the Auditors to make out the delinquent list, and make accurate returns by the time therein indicated; therefore, be it

Resolved, That the Committee on Education be instructed to inquire into the expediency of amending said law, and report by bill or otherwise.

Which was adopted.

Mr. Stevenson offered the following resolution:

Resolved, That the Judiciary Committee be required to inquire into the expediency of causing an enumeration to be taken of all the white male inhabitants over twenty-one years of age in the State of Indiana, and to report to this House by bill or otherwise.

Which was adopted.

On motion,
The House adjourned till 2 o'clock, P. M.

2 O'CLOCK, P. M.

House met.

The Speaker laid before the House the following communication from the Commissary General:

COMMISSARY GENERAL'S DEPARTMENT, }
Indianapolis, May 27th, 1861. }

*To the Speaker of the House of Representatives
of the State of Indiana:*

Having learned that the honorable body over which you have the honor to preside passed, late on Saturday evening, a resolution condemnatory of the actions of your Commissary General, charging him with malfeasance in office and incompetency, he therefore begs leave to present to your honorable body a few remarks for their consideration.

1st. He understands that one particular cause arises from the fact that he purchased, for the use of the troops, coffee which had previously been roasted, adulterated and ground. In explanation of the same he begs leave to state, that in consequence of the great rush of volunteers here, both night and day, who came with no camp equipments, or cooking utensils, and the Quartermaster General not being able to provide or furnish the same, your Commissary was and is now unable to see any other plan by which coffee in such large amounts could have been issued to them, as they had no means of preparing green coffee for use. The issues of ground coffee were made by consultation with your former Quartermaster General, and was only continued until the proper utensils could be provided for cooking. Since which time I have continued to issue green coffee and, in many instances, with less satisfaction to the troops.

2d. Another cause of complaint he understands to arise from the fact, that he purchased, for the use of the troops, pork, in which he held a half interest. Your Commissary is at a loss to determine how it would affect the State's interest, or that of the troops, provided it was a good article, and purchased at as low a price as it could have been done from other holders. When a prohibition was placed upon

all shipments to the South, there was a very sudden and large decline in the article of pork in Cincinnati, and in consequence thereof your Commissary, in consultation with your Inspector General, Miles Murphy, placed an agent in that market, (Cincinnati,) through whom our orders have since been filled. In this connection I would also remark, that there has been charges presented of unsound and unwholesome pork having been issued to the troops. But one instance of this kind has been brought to my knowledge, and that was immediately corrected by giving good meat in return. All the meats purchased by me are submitted to rigid inspection.

3d. Another charge he understands to be, that your Commissary has been taking duplicate bills of purchase. In most cases such has been the fact, and is now continued for the reason that he is unable to see any other plan by which he would be enabled to prevent the second presentation of bills once paid, as the original bills being filed in the Auditor's office would not be accessible at all times, so as to enable me to know whether or not some of the bills or parts of them had not previously been presented and paid.

If your honorable body can suggest, through a committee or otherwise, any better plan, your Commissary would be pleased to adopt it.

In conclusion your Commissary would remark, that the position is one very difficult to fill satisfactory to every body, and that in the testimony taken by your honorable committee, which testimony your Commissary had no opportunity to confront and rebut, there were interested statements made by parties who had previously made propositions of partnership, but which proposition was rejected by me on account of the dishonest intimations therein contained.

Your Commissary therefore prays your honorable body to appoint a committee, before whom he may have an opportunity of confronting witnesses, and introducing such testimony as will relieve the minds of the committee from the serious and unjust charges your resolution, as passed, would seem to infer. Which prayer being granted, your Commissary entertains not the least shadow of doubt that he can show beyond cavil that every dollar of the State's funds passing through his hands has been judiciously and economically expended.

ISAIAH MANSUR,

Com. Gen'l Ind. Militia.

Mr. Frasier moved a reconsideration of the vote whereby the House concurred in the report of the Committee of Investigation into the affairs of the Commissary Department, with an amendment requesting the Governor to remove the present Commissary General.

Mr. Packard moved to lay the motion to reconsider on the table. Which was agreed to.

The hour having arrived for the consideration of the special order for 2 o'clock, being the report of the Committee on the Judiciary on House bill No. 40,

Mr. Jenkinson moved to informally pass the special order to take up House bill No. 45.

Which was not agreed to.

The House then proceeded to the consideration of the special order.

Mr. Woodhull moved that House bill No. 40 and the report of the Committee on the Judiciary thereon, be referred to a select committee of one from each county in the Tenth Judicial Circuit.

Which was agreed to.

The Speaker announced the committee as follows :

Messrs. Anderson of Elkhart, Collins of Whitley, Collins of Adams, Jenkinson of Allen, Frasier of Kosciusko, Randall of Noble, Feagler of Dekalb, Horton of Wells, Parrett of Elkhart and Larrange, and Woodhull of Steuben.

Mr. Moss asked and obtained leave to introduce the following resolution :

Resolved, That the Committee of Ways and Means be instructed to examine the certificates for work done by Phineas Palmer, M. Pool, E. Sabin, A. C. H. Walker, John S. Simons, Thos. Mason and others, in draining swamp lands in the county of Greene, and if found to be correct to inquire into the expediency of providing in the general appropriation bill for the payment of the same out of the swamp land fund of said county now in the State treasury, to be reported by said committee to this House.

Mr. Thomas moved to lay the resolution on the table.

Which was agreed to.

Mr. Jenkinson moved to take from the table House bill No. 45.

No quorum voting.

Mr. Prosser moved a call of the House.

Which was ordered.

The following members answered to their names :

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bundy, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Coopridger, Dashiell, Davis, Epperson, Erwin, Ferguson, Fleming, Ford, Fordyce, Fraley, Frasier, Goar, Gresham, Hall, Harvey, Hayes, Henricks, Holcomb, Hopkins, Hudson, Hurd, Jenkinson, Jones of Tippecanoe,

Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, McClurg, Moorman, Moss, Mutz, Nebeker, Orr, Owens, Packard, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Randall, Robbins, Sloan, Sherman, Stevenson, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Wilson, Woodhull, Woods and Mr. Speaker—74.

Mr. Bundy moved to dispense with the further call of the House. Which was agreed to.

On motion by Mr. Jenkinson,

House bill No. 45 was taken from the table.

Mr. Davis offered the following amendment :

Amend by adding in the proper place the word "draw-bridge." Which was adopted.

Mr. Allen moved that the bill be considered as engrossed and read a third time now.

Mr. Orr moved to amend the motion by referring the bill to the Committee on the Judiciary.

Mr. Bundy moved to lay the bill and the motion to refer on the table.

Messrs. Jenkinson and Woodhull demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Brucker, Bundy, Cason, Combs, Coopridier, Dashiell, Ferguson, Fordyce, Gresham, Hall, Harvey, Hayes, Henricks, Hopkins, Hurd, Lods, Nebeker, Thomas, Thompson, Underwood, Williams and Mr. Speaker—23.

Those who voted in the negative were,

Messrs. Anderson, Black, Brett, Campbell, Collins of Whitley, Collins of Adams, Davis, Epperson, Erwin, Feagler, Ford, Fraley, Frasier, Goar, Holcomb, Horton, Hudson, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lane, Lee, Lightner, McClurg, Moorman, Moss, Mutz, Orr, Owens, Packard, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Randall, Roberts, Sloan, Sherman, Stevenson, Trier, Turner, Veatch, Warrum, Wells, Wilson, Woodhull and Woods—53.

So the motion to lay on the table did not prevail.

Mr. Bundy offered the following amendment:

Amend at the proper place, and say: "Any wagoner who shall by careless driving injure the property of another, the person so injured shall have a lien on the wagon to the extent of the injury done by carelessness or wilfulness as aforesaid."

Mr. Williams moved to indefinitely postpone the bill and amendments, and on his motion demanded the previous question.

Which was seconded by the House.

Messrs. Jenkinson and Ferguson demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Black, Brucker, Bryan, Bundy, Campbell, Cason, Chapman, Combs, Coopridier, Dashiell, Ferguson, Fordyce, Fraley, Frazier, Goar, Hall, Harvey, Hayes, Henricks, Hopkins, Horton, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Knowlton, Lods, Lane, Lee, Lightner, McClurg, Moorman, Nebeker, Orr, Parrett, Ragan, Robbins, Sherman, Thomas, Thompson, Turner, Underwood, Williams, Wilson, Woods and Mr. Speaker—48.

Those who voted in the negative were,

Messrs. Anderson, Collins of Whitley, Collins of Adams, Davis, Edson, Epperson, Erwin, Feagler, Fleming, Ford, Gresham, Holcomb, Jenkinson, Kitchen, Mutz, Owens, Packard, Pitts, Polk, Prosser, Prow, Randall, Roberts, Sloan, Trier, Veatch, Warrum, Wells and Woodhull—29.

So the bill and amendment were indefinitely postponed.

Mr. Jenkinson asked and obtained leave to introduce the following:

House bill No. 58. A bill to require the Governor to retire on half pay all troops now in the service of the State of Indiana that may not be taken into the service of the United States, and repealing all acts or parts of acts that may be in conflict therewith.

Mr. Frasier moved to reject the bill.

Messrs. Jenkinson and Knowlton demanded the ayes and noes.

E. S. H. J.—17.

Those who voted in the affirmative were,

Messrs. Bryan, Cason, Dashiell, Fordyce, Fraley, Frasier, Hall, Harvey, Kendrick, Lightner, Parrett, Sherman, Thomas, Thompson, Turner, Underwood, Veatch, Wells, Williams and Mr. Speaker—20.

Those who voted in the negative were,

Messrs. Anderson, Atkinson, Black, Brucker, Bundy, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopridge, Davis, Edson, Epperson, Erwin, Feagler, Fleming, Ford, Goar, Gresham, Hayes, Henricks, Holcomb, Hopkins, Horton, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Kitchen, Knowlton, Lane, Lee, Lods, McClurg, Moorman, Mutz, Nebeker, Orr, Owens, Packard, Pitts, Polk, Prosser, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Trier, Woodhull and Woods—53.

So the motion to reject did not prevail, and

The bill passed to a second reading.

Mr. Kitchen asked and obtained leave to introduce

House bill No. 59. A bill to regulate the mileage of sheriffs in conveying convicts to the Northern and Southern State Prisons, and repealing all acts in conflict therewith,

Which was read a first time.

Mr. Lane moved to suspend the rules and read the bill a second time now by its title.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bryan, Bundy, Campbell, Cason, Collins Whitley, Collins of Adams, Combs, Coopridge, Dashiell, Davis, Edson, Epperson, Erwin, Feagler, Ferguson, Fleming, Ford, Fordyce, Gresham, Harvey, Hayes, Henricks, Holcomb, Hopkins, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Kendrick, Kitchen, Knowlton, Lane, Lee, Lightner, Lods, McClurg, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Packard, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Stevenson, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Wilson, Woodhull, Woods and Mr. Speaker—73.

No one voting in the negative.

So the rules were suspended, and the bill read a second time by its title.

Mr. Adams of Whitley offered the following amendment:

Amend by striking out after Whitley "two hundred and fifty-five" and inserting "two hundred and eighty-six."

Mr. Nebeker moved that the bill and amendments be made a special order for to-morrow morning at 9 o'clock,
Which was agreed to.

On motion,
The House adjourned till 9 o'clock to-morrow morning.

TUESDAY MORNING, 9 o'clock, }
May 28, 1861. }

House met.

On motion,
The reading of the journal was dispensed with.

PETITIONS, MEMORIALS, REMONSTRANCES, AND RESOLUTIONS.

By Mr. McLean,

A remonstrance from Sundry citizens of Vigo county, against the passage of a law repealing the Common Pleas Court,
Which,

On motion,
Was referred to the Committee on the Organization of Courts of Justice.

Mr. Holcomb offered the following resolution:

Resolved, That from and after Wednesday evening, May 29, at the hour of adjournment, no bill or joint resolution shall be introduced in this House.

Mr. Bundy moved to lay the resolution on the table,
Which was agreed to.

On motion by Mr. Bundy,

The special order for 9 o'clock, being House bill No. 59, was informally passed.

Mr. Bundy, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill 54, a bill to amend the ninth section of an act regulating the fees of officers, and repealing former acts in relation thereto, have had the same under consideration, and have instructed me to report the same back without amendment, and recommend its passage.

Mr. Cason moved to recommit the bill with the following instructions:

Recommit with instructions to report a bill reducing fees of county auditor and county clerk twenty per cent., or as near as may be.

Mr. Bundy, moved to lay the instructions on the table,
Which was agreed to.

Mr. Bundy moved that the bill be considered as engrossed, and read a third time now.

Mr. Jenkinson moved the previous question,
Which was seconded by the House.

The motion to consider as engrossed prevailed, and,

House bill No. 54, a bill to amend the ninth section of an act regulating the fees of officers, and repealing former acts in relation thereto,

Was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Black, Brett, Brucker, Bundy, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopridier, Dashiel, Davis,

Edson, Epperson, Erwin, Feagler, Ferguson, Fleming, Goar, Gresham, Hall, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Wayne, Kendrick, Kitchen, Lane, Lightner, Lods, McClurg, Moorman, Mutz, Orr, Owens, Packard, Parrett, Pitts, Polk, Prosser, Prow, Randall, Robbins, Roberts, Sherman, Stevenson, Trier, Thomas, Thompson, Underwood, Veatch, Wells, Williams, Wilson, Woodhull, and Woods—61.

Those who voted in the negative were,

Messrs. Atkinson, Bryan, Ford, Fordyce, Fraley, Harvey, Horton, Jones of Vermillion, Knowlton, Moss, Nebeker, Ragan, Stotsenburg and Turner—14.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Veatch, from the Committee on the Judiciary, asked and obtained leave to make the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 28, have had the same under consideration and direct me to report the same back to the House with the following amendments:

Strike out all after the enacting clause and insert the following from sections, and when so amended they recommend its passage:

That whenever hereafter any real property or any interest therein shall be sold on any execution, or order of sale issued upon any judgment, decree or other judicial proceeding within this State, the owner thereof, his heirs, executors, administrators, or any mortgagee or judgment creditor having a lien upon the same may redeem such real property or interest therein at any time within one year from the date of such sale by paying the purchaser, his assigns or the Clerk of the Court from which such execution or order of sale was issued for the use of said purchaser, his heirs or assigns the purchase money, with interest thereon at the rate of eight per cent. per annum.

SEC. 2. Upon payment of the purchase money and interest the sheriff or other officer making such sale shall issue to the purchaser a certificate showing the court in which the judgment or decree was rendered, the parties to the action, the date of the sale, the name of the purchaser, the amount of the purchase money, and a description of the premises sold, which certificate shall entitle the holder thereof

to a deed of conveyance, to be executed by the officer making the sale at the expiration of one year from the date of such sale, if the property shall not have been previously redeemed.

SEC. 3. When any mortgagee or judgment creditor shall redeem any real property or interest therein, under the provisions of this act, such mortgagee or judgment creditor shall retain a lien on the premises for the amount of money so paid for the redemption against the owner and senior incumbrancer.

SEC. 4. All laws and parts of laws coming in conflict with any of the provisions of this act, be, and the same are hereby, repealed; and whereas an emergency exists for the immediate taking effect of this act, therefore the same shall take effect and be in force from and after its passage.

Mr Bundy moved to concur in the report, with the following amendment:

Amend at the proper place as follows: *Provided, however, That* the provisions of this bill shall not apply to a judgment rendered on a contract made prior to the passage of this act.

Mr. Veatch moved to lay the amendment on the table.

Messrs. Bundy and Roberts demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Anderson, Brett, Brucker, Bryan, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Coopridner, Crain, Dashiel, Davis, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Hall, Harvey, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lee, Lightner, McLean, Moorman, Moss, Nebeker, Orr, Owens, Parrett, Pitts, Prosser, Prow, Ragan, Randall, Robbins, Roberts, Sherman, Stevenson, Stotsenburg, Trier, Thomas, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—73.

Those who voted in the negative were,

Messrs. Atkinson, Black, Bundy, Lane, McClurg, Mutz, Packard, Polk, Smith of Bartholomew and Thompson—10.

So the amendment was laid on the table.

Mr. Jenkinson moved to concur with the following amendment:

Strike out eight and insert ten per cent.

Mr. Robbins moved the previous question,
Which was seconded by the House.

The report was concurred in and the amendment adopted.

Mr. Veatch moved that the bill be considered as engrossed and read a third time now.

Which was agreed to.

House bill No. 28 was read a third time, and

The question being shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Bingham, Branham, Brett, Brucker, Bryan, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Coop-
rider, Crain, Dashiell, Davis, Edson, Epperson, Erwin, Feagler, Fer-
guson, Fisher, Fleming, Fordyce, Fraley, Frasier, Gifford, Goar,
Hall, Harvey, Heffren, Henricks, Holcomb, Hopkins, Horton, How-
ard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Ver-
million, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lee,
Lightner, McClurg, McLean, Moorman, Moss, Newman, Orr, Owens,
Pitts, Prosser, Prow, Ragan, Randall, Robbins, Roberts, Sloan,
Sherman, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Tur-
ner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Wood-
hull, Woods and Mr. Speaker—78.

Those who voted in the negative were,

Messrs. Atkinson, Black, Bundy, Gresham, Hayes, Lane, Mutz,
Nebeker, Parrett, Polk and Smith of Bartholomew—11.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Veatch offered the following amendment to the title of the bill :

“A bill providing for the redemption of real property, or any in-
terest therein sold on execution or order of sale, and providing for
the issuing of certificates of purchase in such cases, and for the exe-
cution of conveyances, and repealing all laws in conflict therewith.”

Which was adopted.

Mr. Edson, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No. 30, a bill to secure the collection of rent in certain cases therein named, and to enable persons of small means to rent lands without giving personal or other security therefor, have had the same under consideration, and have directed me to report the same back without amendment and recommend its passage.

Mr. Gresham moved to concur in the report of the Committee with the following amendment:

I move to amend by giving a like lien on the personal property of those who furnish food and clothing to the tenant.

Mr. Orr offered the following additional amendment:

Amend as follows: The landlord shall have a lien, when he rents his farm for a portion of the crop, upon that portion or amount that he has to get as rent, and in no other case.

Which was decided out of order.

Mr. Heffren moved that the report of the committee, the bill and pending amendments be laid on the table, and called for the previous question.

Which was seconded by the House.

Messrs. Edson and Heffren demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Anderson, Brucker, Bryan, Bundy, Campbell, Dashiell, Epperson, Feagler, Ferguson, Fraley, Goar, Gresham, Hall, Harvey, Hayes, Heffren, Henricks, Horton, Hurd, Jones of Tippecanoe, Kendrick, Lane, Lee, Lightner, McClurg, Nebeker, Newman, Orr, Parrett, Prow, Ragan, Robbins, Roberts, Sloan, Sherman, Stotsenburg, Thomas, Underwood, Williams and Woods—40.

Those who voted in the negative were,

Messrs. Atkinson, Black, Brett, Bundy, Collins of Whitley, Collins of Adams, Combs, Coopridger, Davis, Edson, Erwin, Fisher, Fleming, Ford, Fordyce, Gifford, Holcomb, Hopkins, Howard, Hurd, Jenkinson, Jones of Vermillion, Jones of Wayne, Kitchen, Lods, McClurg, Moorman, Mutz, Packard, Pitts, Polk, Prosser, Smith of Bartholomew, Stevenson, Trier, Thompson, Turner, Warrum, Wells, Wilson and Woodhull—41.

So the motion to indefinitely postpone did not prevail.

Mr. Edson moved to lay the motion of Mr. Gresham to concur with an amendment, on the table.

Messrs. Heffren and Edson demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bryan, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopridger, Dashiell, Edson, Epperson, Erwin, Feagler, Fisher, Fleming, Ford, For-dyce, Fraley, Gifford, Hall, Harvey, Holcomb, Hopkins, Howard, Hudson, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Lods, McLean, Moorman, Mutz, Orr, Pitts, Polk, Prosser, Sherman, Smith of Bartholomew, Stevenson, Trier, Thompson, Turner, Warrum, Wells, Wilson, Woodhull and Woods—52.

Those who voted in the negative were,

Messrs. Davis, Ferguson, Goar, Gresham, Hayes, Heffren, Henricks, Horton, Hurd, Kendrick, Lane, Lee, Lightner, McClurg, Nebeker, Newman, Packard, Parrett, Prow, Ragan, Robbins, Sloan, Stotsen-burg, Thomas, Underwood and Williams—27.

So the motion to lay on the table prevailed.

Mr. Orr renewed his motion to concur with his amendment.

Mr. Woodhull moved to make the report, bill and amendments the special order for to-morrow at 10 o'clock, A. M.

On motion by Mr. Heffren,

The motion was laid on the table.

Mr. Lane moved the previous question,
Which was seconded by the House.

The report was concurred in and the amendment adopted.

Mr. Edson moved that the bill be read a third time now.
Which was agreed to, and,

Senate bill No. 30. A bill to secure the collection of rent in certain cases therein named, and to enable persons of small means to rent lands without giving personal or other security therefor,
Was read a third time, and

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Brett, Collins of Whitley, Collins of Adams, Combs, Coopridger, Edson, Fleming, Ford, Holcomb, Hopkins, Howard, Hudson, Jenkinson, Kitchen, Lods, Moorman, Mutz, Orr, Pitts, Polk, Prosser, Stevenson, Trier, Thompson, Turner, Warrum, Wells and Woodhull—30.

Those who voted in the negative were,

Messrs. Black, Brucker, Campbell, Dashiell, Davis, Epperson, Feagler, Ferguson, Fisher, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Hayes, Heffren, Henricks, Horton, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Lane, Lee, Lightner, McClurg, Nebeker, Newman, Packard, Parrett, Prow, Ragan, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Stotsenburg, Thomas, Underwood, Veatch, Williams, Wilson and Woods—48.

So the bill did not pass.

Mr. Fisher, from Committee on Ways and Means, made the following report :

MR. SPEAKER:

The Committee of Ways and Means have instructed me to report the following bill and recommend its passage :

House bill No. 60. A bill making additional general appropriations for the years 1861 and 1862, and defining the funds from which they are to be paid, and providing for a committee to audit claims upon said appropriations, and providing for the expense thereof.

Was read a first time.

Mr. Fisher moved that the rules be suspended and the bill read a second time by its title now.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopridger, Dashiell, Davis, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Fordyce, Fraley, Frasier, Gifford, Goar, Hall, Harvey, Hayes,

Henricks, Hopkins, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Lods, Lane, Lee, Lightner, McClurg, McLean, Moorman, Mutz, Nebeker, Newman, Orr, Packard, Parrett, Pitts, Polk, Prow, Ragan, Robbins, Sloan, Sherman, Smith of Bartholomew, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woods, Woodhull, and Mr. Speaker—72.

No one voting in the negative.

So the rules were suspended and the bill read a second time by its title.

On motion,

Adjourned till 2 o'clock, P. M.

2 O'CLOCK P. M.

The House met.

Pending, at the adjournment, was the consideration of House bill No. 60.

Mr. Black offered the following amendment to the bill:

Amend by striking out so much of said bill as provides for the appointment of an auditing committee.

Mr. Bundy moved to lay the amendment on the table.

Which was agreed to.

Mr. Bundy moved to reconsider the vote by which the amendment was laid on the table.

Which was agreed to.

The question recurring on the motion to lay on the table,

Messrs. Holcomb and Black demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Anderson, Bingham, Brucker, Bryan, Bundy, Campbell, Collins of Whitley, Coopridier, Crain, Dashiell, Erwin, Feagler, Ferguson, Fisher, Fordyce, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Hopkins, Hudson, Jones of Vermillion, Lee, McLean, Nebeker, Orr, Randall, Sherman, Stotsenburg, Thomas, Turner, Veatch, Wells, Williams, Wilson, Woods and Mr. Speaker—40.

Those who voted in the negative were,

Messrs. Atkinson, Black, Brett, Collins of Adams, Combs, Davis, Epperson, Fleming, Ford, Henricks, Holcomb, Howard, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lane, Lightner, McClurg, Moorman, Moss, Mutz, Newman, Owens, Packard, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Roberts, Sloan, Stevenson, Trier, Thompson, Underwood, Warum—43.

So the amendment was not laid on the table.

The question recurring on the adoption of the amendment,
It was not adopted.

Mr. Ragan offered the following amendment to the bill:

Amend by inserting in the proper place, the names of Sterns Fisher and John L. Hopkins on the part of the House.

Mr. Packard moved to amend by striking out the name of Sterns Fisher, and insert that of A. M. Black.

Which was accepted by the mover.

Mr. Gresham moved to lay the amendment on the table.

Messrs. Packard and Knowlton demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bingham, Branham, Brucker, Bundy, Campbell, Cason, Crain, Dashiell, Erwin, Feagler, Fisher, Fordyce, Frasier, Goar, Gresham, Hall, Harvey, Henricks, Hopkins, Hudson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Lane, Lee, Moorman, Nebeker, Orr, Randall, Sloan, Sherman, Stotsenburg, Thomas, Thompson, Turner, Underwood, Veatch, Wells, Williams, Woods and Mr. Speaker—42.

Those who voted in the negative were,

Messrs. Anderson, Atkinson, Brett, Bryan, Collins of Whitley,

Collins of Adams, Combs, Coopridger, Davis, Epperson, Ferguson, Fleming, Ford, Gifford, Hayes, Holcomb, Howard, Hurd, Jenkinson, Kitchen, Knowlton, Lightner, Lods, McClurg, McLean, Moss, Mutz, Moorman, Owens, Packard, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Roberts, Stevenson, Trier, Warrum, Woodhull—41.

Present and refusing to vote—Smith of Bartholomew.

So the amendment was laid upon the table.

Mr. Fisher moved that the bill be considered as engrossed and read a third time now.

Which was agreed to, and

House bill No. 60. A bill making additional general appropriations for the year 1861 and 1862, and defining the funds from which they are to be paid, and providing for a committee to audit claims upon said appropriation, and providing for the expense thereof.

Was read a third time.

Mr. Fisher offered the following amendment, which was adopted by unanimous consent:

Insert in the proper place, "except for legislative expenses."

The question being shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Branham, Brucker, Bryan, Bundy, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Coopridger, Crain, Dashiell, Davis, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Gifford, Goar, Gresham, Hall, Harvey, Hayes, Henricks, Hopkins, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lods, Lane, Lee, Lightner, McClurg, McLean, Moorman, Nebeker, Newman, Orr, Owens, Parrett, Prow, Ragan, Randall, Sloan, Sherman, Smith of Bartholomew, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—73.

Those who voted in the negative were,

Messrs. Brett, Edson, Holcomb, Horton, Howard, Knowlton, Mutz, Packard, Pitts, Polk, Prosser and Warrum—12.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

By consent, Mr. Allen introduced

House bill No. 61. A bill to increase the salary of the Attorney General, and provide for the payment thereof, approved May 28, 1861.

Which was read a first time.

Mr. Allen moved that the rules be suspended and the bill read a second time by its title.

The ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brett, Bryan, Bundy, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Crain, Dashiell, Edson, Erwin, Feagler, Ferguson, Fisher, Ford, Fordyce, Goar, Gresham, Hall, Harvey, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lods, Lane, McLean, Moorman, Orr, Parrett, Ragan, Randall, Sherman, Smith of Bartholomew, Stotsenburg, Thomas, Thompson, Turner, Underwood, Wells, Williams, Woodhull, Woods and Mr. Speaker—56.

Those who voted in the negative were,

Messrs. Brucker, Davis, Epperson, Fraley, Gifford, Hayes, Horton, Jenkinson, Lightner, McClurg, Mutz, Newman, Owens, Packard, Pitts, Polk, Prosser, Roberts, Sloan, Stevenson, Trier and Veatch—21.

So the rules were suspended, and House bill No. 61 was read a second time by its title.

Mr. Allen moved to refer the bill to the Committee of Ways and Means.

Mr. Jenkinson moved to amend by referring the bill to the Committee on the Judiciary.

Which was agreed to.

Mr. Stotsenburg introduced

House bill No. 62. A bill providing for the impeachment of witnesses in certain cases.

Which was read a first time.

Mr. Stotsenburg moved to suspend the rules and read the bill a second time by its title now.

Mr. Bundy moved to lay the motion on the table.
Which was agreed to.

Mr. Gresham introduced

House bill No. 63. A bill supplemental to an act entitled an act for the organization and regulation of the Indiana Militia.
Which was read a first time.

Mr. Gresham moved to suspend the rules and read the bill a second time by its title now.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brett, Brucker, Bryan, Bundy, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Coopridner, Davis, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Fordyce, Fraley, Gifford, Goar, Gresham, Hall, Harvey, Hayes, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lods, Lane, Lightner, McClurg, McLean, Moorman, Mutz, Nebeker, Newman, Orr, Owens, Packard, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Randall, Roberts, Sloan, Sherman, Smith of Bartholomew, Trier, Thomas, Thompson, Turner, Underwood, Warrum, Wells, Williams, Woodhull, Woods and Mr. Speaker—77.

No one voting in the negative.

So the rules were suspended, and the bill read a second time by its title.

Mr. Gresham moved that the bill be considered as engrossed, and read a third time now,

Which was agreed to, and

House bill No. 63. A bill supplemental to an act entitled "an act for the organization and regulation of the Indiana Militia, prescribing penalties for violation of said regulations; providing for the election and appointment of officers; defining the duties of military and civil officers, and penalties for the neglect or violation thereof; providing for courts martial, councils of administration, and military encampments; making appropriations for the support of said militia; repeal-

ing all laws heretofore enacted on that subject, saving certain acts therein named, and declaring an emergency for the immediate taking effect thereof, approved March 7, 1861.

Was read a third time, and

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brett, Brucker, Bryan, Bundy, Campbell, Cason, Collins of Adams, Crain, Dashiel, Davis, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fordyce, Fraley, Goar, Gresham, Hall, Harvey, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Wayne, Jones of Vermillion, Kendrick, Kitchen, Lane, Lee, Lightner, McLean, Moorman, Nebeker, Newman, Orr, Owens, Packard, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Randall, Roberts, Sloan, Smith of Bartholomew, Stevenson, Trier, Thomas, Thompson, Turner, Underwood, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—70.

Those who voted in the negative were,

Messrs. Combs, Coopridger, Fleming, Gifford, Hayes, Knowlton, Lods and Warrum—8.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Kitchen called up the special order informally passed this morning, being House bill No. 59.

Mr. Stotsenburg moved that the bill be engrossed, and moved the previous question,

Which was seconded by the House.

The bill was ordered to be engrossed for a third reading to-morrow.

On motion,
The House adjourned till to-morrow morning at 9 o'clock.

WEDNESDAY MORNING, 9 o'clock, }
 May 29, 1861. }

The House met pursuant to adjournment.

On motion,
 The reading of the journal was dispensed with.

Mr. Brett, by unanimous consent, changed his vote to the negative on the passage of the general appropriation bill passed yesterday, being House bill No. 60.

Mr. Bundy, by unanimous consent, recorded his vote against the resolution requesting the Governor to remove the Commissary.

On motion by Mr. Gifford,
 Mr. Dobbins was granted leave of absence on account of illness.

Mr. Atkinson asked and obtained leave to introduce

House bill No. 64. A bill to amend sections three, twenty and and forty-six of an act entitled "an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith.

Which was read a first time.

Mr. Atkinson moved to suspend the rules and read the bill a second time by its title now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bryan, Campbell, Collins of Whitley, Combs, Coopridger, Crain, Dashiel, Edson, Erwin, Ferguson, Fisher, Fleming, Fordyce, Fraley, Gifford, Goar, Gresham, Hall, Hayes, Henricks, Holcomb, Hopkins, Howard, Hudson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lee, Lightner, McClurg, McLean, Moorman,

E. S. H. J.—18.

Moss, Nebeker, Newman, Orr, Owens, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Underwood, Veatch, Warrum, Wells, Williams, Woodhull, Woods and Mr. Speaker—70.

Those who voted in the negative were,

Messrs. Bundy and Lane—2.

So the rules were suspended, and the bill read a second time by its title, and referred to the Committee on Education.

Mr. Veatch introduced

Joint resolution No. 10. A joint resolution requesting the Governor to call out and put under drill a company of cavalry militia in each of the counties bordering upon the Ohio river, for sixty days,
Which,

On motion,
Was informally passed.

Mr. Allen introduced joint resolution No. 11. A joint resolution authorizing the payment of money by way of advance to the six regiments of Indiana Volunteers, known as the three months' men.

The question being on the passage of the joint resolution,

Mr. Parrett moved the previous question,
Which was seconded by the House.

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Branham, Brett, Brucker, Bryan, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopri-der, Crain, Dashiel, Epperson, Erwin, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Gifford, Goar, Gresham, Hall, Harvey, Hayes, Henricks, Holcomb, Hopkins, Howard, Hudson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lane, Lee, Lightner, Lods, McClurg, McLean, Moorman, Moss, Nebeker, Newman, Orr, Owens, Parrett, Pitts, Prosser, Prow, Ragan, Randall, Roberts, Sloan, Sherman, Smith of Bartholomew, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—75.

No one voting in the negative.

So the joint resolution passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Veatch called up joint resolution No. 10, informally passed,

The question being on the passage of the joint resolution,

Mr. Prosser moved to amend by striking out all that which relates to pay.

The question being on the adoption of the amendment.

Mr. Stotsenburg moved the previous question,
Which was seconded by the House.

Messrs. Edson and Roberts demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Anderson, Black, Brett, Bundy, Campbell, Collins of Adams, Ferguson, Ford, Gresham, Hayes, Hudson, Jenkinson, Jones of Wayne, Lane, Lee, Lightner, McLean, Moorman, Moss, Nebeker, Newman, Orr, Owens, Packard, Parrett, Prosser, Prow, Ragan, Robins, Smith of Bartholomew, Trier, Warrum and Woodhull—33.

Those who voted in the negative were,

Messrs. Atkinson, Branham, Brucker, Bryan, Collins of Whitley, Coopridier, Crain, Dashiell, Edson, Erwin, Fisher, Fleming, Fordyce, Fraley, Gifford, Goar, Hall, Harvey, Henricks, Holcomb, Hopkins, Howard, Hurd, Jones of Tippecanoe, Jones of Vermillion, Kitchen, Lods, McClurg, Pitts, Roberts, Sloan, Sherman, Smith of Miami, Stotsenburg, Thomas, Thompson, Turner, Underwood, Veatch, Wells, Williams, Wilson, Woodhull and Mr. Speaker—44.

So the amendment was not adopted.

The question recurring on the passage of the joint resolution,

Those who voted in the affirmative were,

Messrs. Atkinson, Bingham, Brucker, Bryan, Collins of Whitley, Coopridier, Dashiell, Edson, Erwin, Fisher, Fleming, Fraley, Gifford, Goar, Harvey, Henricks, Holcomb, Hopkins, Howard, Hurd, Jones of Tippecanoe, Jones of Vermillion, Kendrick, Kitchen, Lightner, Lods, McClurg, Moorman, Pitts, Roberts, Sloan, Sherman, Smith of Miami, Stotsenburg, Thomas, Thompson, Turner, Underwood, Veatch, Wells, Williams, Wilson and Mr. Speaker—45.

Those who voted in the negative were,

Messrs. Anderson, Brett, Bundy, Campbell, Collins of Adams, Combs, Crain, Epperson, Ferguson, Ford, Gresham, Hall, Hudson, Jenkinson, Jones of Wayne, Lane, Lee, McLean, Mutz, Nebeker, Newman, Orr, Packard, Parrett, Polk, Prosser, Prow, Ragan, Robbins, Smith of Bartholomew, Stevenson, Trier and Woodhull—33.

So the joint resolution failed for want of a constitutional majority.

Mr. Packard moved to take up Senate messages,
Which was agreed to.

Messages from the Senate, by Mr. Brown, their Secretary :

MR. SPEAKER :

I am instructed by the Senate to inform the House that the Senate has passed the following engrossed bill thereof, to-wit :

Senate bill No. 31. A bill regulating docket fees of district attorneys in the Courts of Common Pleas and before justices of the peace, and regulating prosecuting and district attorneys' fees for prosecuting on forfeited recognizances,

In which the concurrence of the House of Representatives is respectfully requested.

Senate bill No. 31 was read a first time.

Mr. Stotsenburg moved that the rules be suspended and the bill read a second time by title now.

The ayes and noes being taken.

Those who voted in the affirmative were,

Messrs. Atkinson, Bingham, Black, Brett, Bryan, Collins of Whitley, Collins of Adams, Coopridger, Crain, Edson, Erwin, Fisher, Fraley, Gifford, Goar, Hall, Harvey, Hayes, Henricks, Holcomb, Hopkins, Hurd, Jones of Tippecanoe, Jones of Wayne, Jones of Vermillion, Kendrick, Lee, McClurg, McLean, Moorman, Moss, Nebeker, Newman, Orr, Owens, Packard, Parrett, Polk, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stotsenburg, Thompson, Turner, Underwood, Wells, Wilson, Woodhull, Woods and Mr. Speaker—55.

Those who voted in the negative were,

Messrs. Anderson, Bundy, Campbell, Combs, Epperson, Ferguson, Hudson, Jenkinson, Lane, Lightner, Lods, Pitts, Prosser, Prow, Ragan, Stevenson, Trier, Thomas, Warrum and Williams—20.

So the rules were suspended and the bill read a second time by its title.

Mr. Jenkinson offered the following amendment:

Strike out all in relation to the payment of fees out of the County Treasury.

Mr. Bundy moved to refer the bill and amendment to the Committee on the Judiciary.

Which was agreed to.

Mr. McLean moved to take up Senate message containing Senate bill No. 47.

Which was agreed to.

Message from the Senate by Mr. Brown, their Secretary:

MR. SPEAKER:

I am instructed by the Senate to inform the House of Representatives, that the Senate has passed the following bills thereof, to-wit:

Senate bill No. 47. A bill making additional provision for the payment of the loan of two million of dollars, authorized by the act of the General Assembly, approved May 13th, 1861.

Also—

Senate bill No. 42. A bill to amend an act providing for serving process upon the officers, directors, attorneys or agents of any Railroad Company, approved March 4, 1853.

Also—

Senate bill No. 43. A bill to ascertain the amount of the fees and salaries of the Clerk of the Supreme, Circuit and Common Pleas Courts of this State, of the Sheriff of the Supreme Court, and of the various counties in this State, of County Auditors, Treasurers and Recorders, of Circuit and District Prosecuting Attorneys, and providing punishment for a violation of its provisions.

In which the concurrence of the House of Representatives is respectfully requested.

Also—

Senate bill No. 41. A bill to provide for the execution of conveyances by Commissioners in case of deceased vendors of real estate.

Senate bill No. 47 was read a first time.

Mr. McLean moved to suspend the rules and read the bill a second time by its title.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brett, Bryan, Bundy, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopridier, Crain, Davis, Edson, Epperson, Erwin, Feagler, Fisher, Fleming, Fordyce, Fraley, Gifford, Goar, Hall, Harvey, Hayes, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lane, Lee, Lightner, Lods, McClurg, McLean, Moorman, Moss, Newman, Orr, Owens, Packard, Parrett, Pitts, Polk, Prow, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Warrum, Wells, Wilson, Woodhull, Woods and Mr. Speaker—73.

Mr. Stevenson voting in the negative.

So the rules were suspended, and Senate bill No. 47 read a second time by its title, and referred to the Committee of Ways and Means.

Senate bill No 42 was read a first time.

Mr. Packard moved that the rules be suspended, and the bill read a second time by its title now.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Bryan, Bundy, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopridier, Crain, Davis, Edson, Epperson, Erwin, Feagler, Ferguson, Fleming, Fraley, Goar, Gresham, Harvey, Hayes, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Lane, Lee, Lightner,

McClurg, McLean, Moorman, Moss, Orr, Owens, Packard, Parrett, Pitts, Polk, Prosser, Prow, Randall, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Trier, Thomas, Thompson, Turner, Underwood, Warrum, Wells, Wilson, Woodhull, Woods and Mr. Speaker—70.

No one voting in the negative.

So the rules were suspended, and the bill read a second time by its title.

Mr. Bundy offered the following amendment:

Strike out so much of the bill as requires publication in the Journal and Sentinel.

Mr. Davis moved to lay the amendment on the table.
Which was agreed to.

Mr. Davis moved that the bill be read a third time now.
Which was agreed to.

Senate bill No. 42 was read a third time, and

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Bryan, Bundy, Collins of Adams, Combs, Coopriders, Davis, Edson, Epperson, Feagler, Ferguson, Fleming, Ford, Fordyce, Fraley, Goar, Gresham, Hall, Harvey, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Lods, Lane, Lee, Lightner, McClurg, Moorman, Moss, Nebeker, Orr, Owens, Packard, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Randall, Roberts, Sloan, Sherman, Smith of Miami, Stevenson, Trier, Thomas, Underwood, Warrum, Wells, Woodhull, Woods and Mr. Speaker—67.

Those who voted in the negative were,

Messrs. Campbell and Collins of Whitley—2.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Senate bill No. 41 was read a first time.

Mr. Woodhull moved to suspend the rules and read the bill a second time by its title now.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bryan, Bundy, Campbell, Collins of Adams, Combs, Coopridier, Davis, Edson, Epperson, Erwin, Feagler, Ferguson, Fleming, Ford, Fordyce, Fralley, Gifford, Goar, Gresham, Hall, Harvey, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Wayne, Jones of Vermillion, Kendrick, Lods, Lee, McClurg, Moorman, Nebeker, Orr, Owens, Packard, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Randall, Roberts, Sloan, Sherman, Smith of Miami, Stevenson, Trier, Thomas, Thompson, Underwood, Veatch, Warrum, Wells, Woodhull, Woods and Mr. Speaker—70.

No one voting in the negative.

So the rules were suspended and the bill read a second time by its title.

Message from the Senate, by Mr. Brown, their Secretary.

MR. SPEAKER:

I am instructed by the Senate to inform the House of Representatives that the Senate has passed the following joint resolution:

House joint resolution No. 11. A joint resolution authorizing the payment of money by way of advance to the six regiments of Indiana volunteers, known as the three months' men.

Mr. Chapman asked and obtained leave of absence.

On motion,

The House adjourned till 2 o'clock P. M.

2 O'CLOCK, P. M.

The House met.

Mr. Stotsenburg moved to take up House bill No. 62,
Which was agreed to.

House bill No. 62. A bill providing for the impeachment of witnesses in certain cases.

Was read a second time and referred to the Committee on the Judiciary.

Mr. Jones of Vermillion asked and obtained leave to introduce,

House bill No. 65. A bill to provide additional compensation for State officers therein named.

Which was read a first time and passed to a second reading.

Mr. Collins of Adams, from a select committee, asked and obtained leave to make the following report:

MR. SPEAKER:

The Committee to whom was referred a resolution of this House with the view of ascertaining the legal mode of subdividing exterior quarter sections on the north and west of townships, have had the same under consideration, and would respectfully ask permission to submit the following unanimous report:

The exterior quarter sections to which the resolution refers are fractional, containing more or less than the regular quantity of one hundred and sixty acres, and the same rule for subdivisions that applies to the other portion of townships does not apply to these exterior quarter sections. We find, however, by examining the books and plats at the land office at this place, that, up to about the year 1822, there was not a settled policy by the General Government, so that in some instances before and up to that date, the subdivision was made into lots of equal size, so that the inner lots were more or less than eighty rods in width, according to the size of the fractional quarter. But from about that date the rule seems to be settled that the person purchasing the inner lot shall have eighty rods in width, and the fraction, whether over or under the regular quantity, to be thrown upon the outer lot.

It is proper here to observe that the principal clerk of surveys has

discretionary power in prescribing rules and regulations where the law is not sufficiently full or explicit. Your committee are not aware of any statute regulations bearing directly upon this question, and think it likely there is none; but the principal clerk having laid down the rule, within the limits of his discretion, establishes the law upon the subject. We therefore make the following quotation from the instructions given by John H. Moore, principal clerk of surveys, to the Surveyors General of the United States, prescribed according to law, pursuant to order of the Commissioner of the General Land Office. We quote from page twenty-six:

“The lots in the extreme northern and western tiers of quarter sections containing either more or less than the regular quantity are always to be numbered as per example: Interior lots in such extreme tiers are to be twenty chains wide, and the excess or deficiency of measurement is always to be thrown on the exterior lots; elsewhere the assumed subdivisional corner will always be a point equidistant from the established corners.”

We find, in the same work, diagrams for illustration, showing clearly and most conclusively, without even the possibility of a doubt, that the legal mode of subdividing exterior quarter sections on the north and west of townships, is to make the inner lots eighty rods wide, and throw the excess or deficiency on the exterior or outer lots.

All of which is respectfully submitted by your committee.

P. N. COLLINS,
O. T. JONES.

Which was ordered to be spread on the journal.

By unanimous consent,

Mr. Stotsenburg changed his vote to the negative on the resolution requesting the Governor to remove the Commissary General.

Mr. Turner, by unanimous consent, was allowed to record his vote against said resolution.

REPORTS FROM STANDING COMMITTEES.

Mr. Veatch, from the Judiciary Committee, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No.

27, introduced by Mr. Shoemaker, have had the same under consideration, and direct me to report the same back to the House with the following amendments:

Strike out all of section two, and insert the following instead thereof:

"That in every such county where the county-seat has been so located and where the former county buildings and premises have been so conveyed, and where a majority of the legal voters of such county voting at an election hereafter provided for, shall by such vote direct its board of commissioners to convey to such trustees the asylum for the poor belonging to such county, with the tracts of land connected with it, for the use of such Seminary, it shall be the duty of such board to make the conveyance to such trustees in accordance with the wish of the majority so voting, and such conveyance shall pass to such trustees all the estate and title of said board or county to said land and improvements for the use aforesaid; that in every such county where the county-seat has been so re-located, and where the former county buildings and premises have been conveyed as in this act recited, a vote shall be taken upon such proposition of donation at the first October election after the passage of this act, and such vote shall be taken in the following form: For donation—Against donation, written or printed on the ballot. The Clerk of the Circuit Court of each of said counties shall certify to the Sheriffs the vote required to be taken under the provisions of this act, and such Sheriffs shall give the same notice thereof as required by law in other elections, and it shall be the duty of the several officers at each election precinct in such counties to return the result of such voting to the county auditor, to be by such auditor laid before the board of county commissioners."

Also, amend section four by adding the following at the end of said section:

Provided, however, That such trustees shall not have power to sell, transfer or convey any real or personal property belonging to any such seminary of learning until they shall have filed in the office of the auditor of the proper county a bond with sufficient freehold surety to be approved by said auditor in double the value of the property to be sold, payable to the State of Indiana, conditioned that said trustees will faithfully discharge their duties in the sale of such property according to law, and properly and fully account for the moneys arising from such sale, and faithfully apply the same to the maintenance, support or improvement of such seminary of learning. The value of such property shall be ascertained by two appraisers, to be appointed by the auditor of said county, who shall return an appraisalment thereof, under oath, to said auditor.

And when so amended, we recommend its passage.

The report was concurred in, and the amendment ordered to be engrossed.

Mr. Woodhull, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 49, have had the same under consideration and instructed me to report it back to this House and recommend its passage:

The report was concurred in and House bill No. 49 considered as engrossed and ordered to be read a third time now.

House bill No. 49. A bill to amend section 7 of an act entitled "An act providing for the election of clerks of the Circuit Court, and prescribing some of their duties," approved June 7, 1852; and supplemental thereto; prescribing the management and disposition of certain funds therein named; and the duties of the county auditors and treasurers therewith, and fixing the penalties for the violation of this act, and repealing all laws conflicting with this act.

Was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Black, Bryan, Bundy, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Coopridger, Dashiell, Davis, Edson, Epperson, Erwin, Feagler, Ferguson, Fleming, Fordyce, Fraley, Goar, Hall, Harvey, Henricks, Holcomb, Hopkins, Howard, Hudson, Jenkinson, Jones of Tippecanoe, Jones of Wayne, Kendrick, Kitchen, Lods, Lane, Lee, Lightner, McClurg, Moorman, Moss, Mutz, Orr, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Miami, Stevenson, Trier, Thomas, Thompson, Underwood, Veatch, Warrum, Wells, Wilson, Woodhull, Woods and Mr. Speaker—68.

No one voting in the negative.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Holcomb, from the Committee on Education, made the following report:

MR. SPEAKER:

The Committee on Education, to whom was referred the communication of the Superintendent of Public Instruction, in response to a resolution of the Senate asking the reasons why the school revenue has not been apportioned, have had the same under consideration and directed me to report the same back and recommend that it lie on the table, for the reason that the Senate has taken action on the subject by the passage of a resolution which is now pending in the House.

The report of the committee was concurred in.

Mr. Sloan, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of the Stewart House, Terre Haute, Indiana, for the board and lodging of Captain Stewart's company from April 23d, 1861, to May 13th, have had the same under consideration. Your committee find that on the 21st or 22d of April that the requisition made by the President of the United States for six regiments of volunteers from this State was full, and at that time the act authorizing the raising of six regiments for the defense of the State had not been passed, and your committee has no knowledge of any law or authority authorizing the Adjutant General or Captain Stewart to hold said company in the service or at the expense of the State at that time, and your committee recommend that said claim be laid on the table.

The report was concurred in and the claim laid on the table.

Mr. Roberts, from the Committee on Military Affairs, made the following report:

MR. SPEAKER:

The Committee on Military Affairs, to whom was referred joint resolution No. 8, introduced by Mr. Warrum, have had the same under consideration and have instructed me to report the same back to the House with the recommendation that they lie upon the table.

The report was concurred in and the joint resolution laid on the table.

Mr. Gresham, from the Committee on Military Affairs, made the following report:

MR. SPEAKER:

The Committee on Military Affairs, to whom was referred House bill No. 42, have had the same under consideration and directed me to report the same back to the House with a recommendation that it lie on the table.

The report was concurred in and the bill laid on the table.

Mr. McClurg, from the Committee on Military Affairs, made the following report:

MR. SPEAKER:

The Committee on Military Affairs, to whom was referred the resolution of Mr. Orr, directing said committee to inquire into the expediency of exempting from labor on the public highways all the members of the Indiana Legion who will drill not less than twelve days in each year, have had the same under consideration and have directed me to report the same back to this House and recommend that it lie on the table.

The report was concurred in and the resolution laid on the table.

Mr. Gresham, from the Committee on Military Affairs, made the following report:

MR. SPEAKER:

The Committee on Military Affairs, to whom was referred House bill No. 52, have had the same under consideration and directed me to report the same back to the House with a recommendation that it lie on the table.

Which was concurred in and the bill laid on the table.

Mr. Wells, from the Committee on Roads, made the following report:

MR. SPEAKER:

The Committee on Roads, to whom was referred House bill No. 57. "A bill to provide for the location, change or vacation of public highways; for the assessment of damage sustained by such location, change or vacation, and to repeal sections 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 of an act to provide for the opening, changing or vacating of highways," approved June 17, 1852, have

had the same under consideration and direct me to report the same back and recommend its passage.

Mr. Wells moved that the bill be considered as engrossed and read a third time now.

Which was agreed to.

House bill No. 57. A bill to provide for the location, change or vacation of public highways, for the assessment of damage sustained by such location, change or vacation, and to repeal sections 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26, of an act to provide for the opening, changing or vacating of highways, approved June 17, 1852.

Was read a third time, and

The question being shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Bryan, Bundy, Campbell, Collins of Whitley, Collins of Adams, Dashiell, Davis, Epperson, Feagler, Ferguson, Fordyce, Fraley, Frasier, Goar, Hall, Harvey, Hayes, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Wayne, Kendrick, Lane, Lightner, Moorman, Moss, Owens, Packard, Parrett, Pitts, Polk, Randall, Sloan, Sherman, Smith of Miami, Stevenson, Stotsenburg, Thomas, Thompson, Turner, Underwood, Veatch, Wells, Wilson, Woodhull, Woods and Mr. Speaker—53.

Those who voted in the negative were,

Messrs. Atkinson, Black, Cason, Combs, Coopridger, Edson, Erwin, Fleming, Ford, Gresham, Kitchen, Lods, Lee, Mutz, Nebeker, Orr, Prosser, Prow, Ragan, Robbins, Trier and Warrum—22.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Kendrick, from the Committee on Benevolent Institutions, introduced,

House bill No. 66. A bill fixing the tenure of office of the Superintendent of the Indiana Hospital for the Insane, and the Superintendents of the Asylums for the Deaf and Dumb and Blind, and fixing the time of their elections and their salaries, also repealing all laws inconsistent with this act.

Which was read a first time and passed to a second reading.

Mr. Hurd, from the Committee on Corporations, made the following report:

MR. SPEAKER :

The Committee on Corporations, to whom was referred Senate bill No. 28, "a bill to provide for the incorporation of Street Railroad Companies," have had the same under consideration, and have unanimously instructed me to report the same back to the House, and after adding in the proper place the following additional section, recommend its passage.

SECTION 12. Nothing in this act contained shall be so construed as to take away from the common council of incorporated cities the exclusive power now exercised over the streets, highways, alleys and bridges within the corporate limits of such cities; and all street railroad companies which may be organized under the provisions of this act, shall first obtain the consent of such common council to the location, survey and construction of any street railroad through or across the public streets of any city, before the construction of the same shall be commenced.

Mr. Stotsenburg moved to re-commit the bill, with the following amendment:

SECTION 13. The stockholders of such company or corporation shall be individually responsible to an amount over and above their stock, equal to their respective shares of stock, for all debts or liabilities of said company or corporation.

The question being on the motion to re-commit, and no quorum voting,

Mr. Bundy moved a call of the House.
Which was ordered.

The following gentlemen answered to their names :

Messrs. Anderson, Atkinson, Bingham, Black, Branham, Brett, Brucker, Bryan, Bundy, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Coopridger, Crain, Dashiell, Davis, Epperson, Erwin, Feagler, Ferguson, Fleming, Ford, Fordyce, Fraley, Frazier, Gifford, Gresham, Hall, Harvey, Hayes, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Knowlton, Lods, Lane, Lee, Lightner, McClurg, Moorman, Moss, Mutz, Nebeker, Orr, Owens, Packard, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of

Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—84.

On motion,
The further call of the House was dispensed with.

The question being on the motion to re-commit with instructions.

Messrs. Stotsenburg and Roberts demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Bingham, Black, Branham, Brett, Brucker, Bryan, Campbell, Cason, Collins of Whitley, Collins of Adams, Coop-
rider, Crain, Dashiel, Davis, Epperson, Erwin, Feagler, Ferguson,
Ford, Fordyce, Fraley, Frazier, Gifford, Goar, Gresham, Harvey,
Hayes, Henricks, Holcomb, Howard, Jenkinson, Jones of Tippeca-
noe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen,
Knowlton, Lods, Lane, Lee, Lightner, McLean, Moorman, Moss,
Mutz, Orr, Owens, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Ran-
dall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew,
Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson,
Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woods and
Mr. Speaker—74.

Those who voted in the negative were,

Messrs. Bundy, Combs, Edson, Fleming, Hopkins, Hudson, Hurd,
Nebeker, Packard, Turner and Woodhull—11.

So the motion to recommit prevailed.

Mr. Parrett, from the Committee on Corporations, made the fol-
lowing report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred a petition
from the Trustees of the town of Newburgh, presented by the gen-
tleman from Warrick, have had the same under consideration and
direct me to report that in the opinion of the committee legislation
on the subject is necessary and expedient, and to report to the House
the bill herewith returned, and recommend its passage.

House bill No. 67. A bill to authorize incorporate cities to erect
prisons, and authorize the imprisonment therein of persons convicted
E. S. H. J.—19.

of offenses against the laws of such incorporations, or of offenses against the penal laws of this State, and also persons charged with offenses punishable by indictment, presentment temporarily, and to provide for the use of county jails by such incorporation in certain cases.

Was read a first time.

Mr. Parrett moved to suspend the rules and read the bill a second time by its title.

The ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Branham, Brett, Brucker, Bryan, Bundy, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Coopridier, Crain, Dashiell, Davis, Edson, Epperson, Erwin, Feagler, Ferguson, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Hayes, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, McLean, Moorman, Moss, Nebeker, Orr, Owens, Parrett, Pitts, Polk, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—86.

No one voting in the negative.

So the rules were suspended and the bill read a second time by its title.

On motion by Mr. Parrett,
The bill was considered as engrossed, and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Branham, Brett, Bryan, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Coopridier, Crain, Dashiell, Davis, Edson, Epperson, Erwin, Feagler, Fleming, Ford, Fordyce, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Hayes, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lods, Lane, Lee, Lightner,

McLean, Moorman, Moss, Mutz, Nebeker, Orr, Owens, Parrett, Polk, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—76.

No one voting in the negative.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Parrett, from the Committee on Corporations, made the following report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred House bill No. 28, have had the same under consideration and direct me to report the same back with the following amendment, and when so amended recommend its passage.

SEC. 13. The stockholders of such company or corporation shall be individually responsible to an amount over and above their stock equal to their respective shares of stock for all debts or liabilities of said company or corporation.

The report was concurred in, and the amendment considered as engrossed.

Senate bill No. 28. A bill to provide for the incorporation of street railroad companies.

Was read a third time, and

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Branham, Brett, Bryan, Cason, Combs, Coopridger, Crain, Dashiell, Davis, Epperson, Erwin, Feagler, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Hayes, Henricks, Holcomb, Hopkins, Howard, Hudson, Jenkinson, Jones of Tippecanoe, Jones of Wayne, Kendrick, Knowlton, Lods, Lane, Lee, Lightner, Moss, Orr, Owens, Packard, Parrett, Polk, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Steven-

son, Stotsenburg, Trier Thomas, Turner, Underwood, Veatch, Wells, Williams, Woodhull, Woods and Mr. Speaker—67.

Messrs. Bundy and Campbell voting in the negative—2.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Message from the Senate by Mr. Brown, their Secretary :

MR. SPEAKER :

I am instructed by the Senate to inform the House of Representatives that the Senate has passed the following bills of the House, to-wit :

House bill No. 43. A bill to legalize the incorporation of towns, under "an act for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties," approved June 11, 1852, and all by-laws, rules, regulations and proceedings adopted in pursuance thereof.

Mr. Parrett, from the Committee on Corporations, made the following report :

MR. SPEAKER :

The Committee on Corporations, to whom was referred House bill No. 53, have had the same under consideration, and have amended the same as follows :

Strike out all after the enacting clause of the bill, and insert the following :

That any railroad company heretofore organized under and pursuant to an act entitled "An act to provide for the incorporation of railroad companies," approved May 11, 1852; which within three years after its incorporation shall have begun the construction of its road, and shall have actually expended thereon four hundred thousand dollars in the construction thereof; shall have ten years from and after the 30th day of December, 1861, to complete the same, and if said road shall not then be completed, the corporate powers of such company shall cease, and its act of incorporation shall become void; always *Provided*, That this act shall not extend to any corporation whose charter shall have been declared forfeited, or against which a final judgment of ouster shall have entered.

Mr. Bundy moved to recommit with instruction to amend as follows:

Provided, That it shall be optional with the stockholders of such railroads to withdraw from the incorporation, and have a rateable portion of the unexpended stock paid back to them, and thenceforward shall not be liable to any assessments of any kind for the benefit of said corporation so revived.

Mr. Allen offered the following amendment,
Which was adopted by unanimous consent.

Insert after the word "construction" the words "in good faith, upon the road bed," and after the word "through" insert the words "and exclusive of expense for pay of officers, right of way, engineering, and other incidental expenses."

The question being on the motion to recommit with instructions.

Mr. Stotsenburg moved the previous question.
Which was seconded by the House.

The motion to recommit did not prevail.

On motion,

House bill No. 53 was considered as engrossed, and read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brucker, Brett, Campbell, Cason, Collins of Whitley, Coopridger, Crain, Davis, Epperson, Erwin, Feagler, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Harvey, Hayes, Henricks, Hopkins, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lane, Lee, Mutz, Newman, Orr, Owens, Parrett, Pitts, Polk, Ragan, Randall, Robbins, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stotsenburg, Thomas, Thompson, Turner, Warrum, Wells, Williams, Woodhull, Woods and Mr. Speaker—61.

Those who voted in the negative were,

Messrs. Bryan, Bundy, Collins of Adams, Combs, Ferguson, Hall, Holcomb, Howard, Jenkinson, Lods, Lightner, Moorman, Moss, Packard, Prosser, Stevenson, Trier and Underwood—18.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Parrett moved to strike out the title of the bill, and insert the following as the title :

A bill to extend the time for the completion of certain railroads.
Which was agreed to.

Mr. Fisher, from the Committee of Ways and Means, made the following report :

MR. SPEAKER :

The Committee of Ways and Means, to whom was referred Senate bill No. 47, a bill making additional provisions for the payment of the loan of two millions of dollars authorized by the act of the General Assembly, approved May 13, 1861, have had said bill under consideration, and directed me to report the same back, with the following amendments, and when to amended recommend its passage :

Strike out of the seventeenth, eighteenth, nineteenth and twentieth line of section three, the following : "Commissioners named in the act creating said loan," and insert in its place the words "State Debt Sinking Fund Commissioners."

Strike out of the twenty-seventh and twenty-eighth lines, the word "Commissioners" and insert the words "State Debt Sinking Fund Commissioners."

Strike out of lines twelve and thirteen of section four, the words "Loans Commissioners," and insert "State Debt Sinking Fund Commissioners."

The report was concurred in and the amendments adopted.

The amendments were ordered to be considered as engrossed and the bill read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brett, Brucker, Bryan, Bundy, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Coopridier, Crain, Davis, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Fordyce, Fraley, Frasier, Gifford, Goar, Hall, Harvey, Hayes, Henricks, Holecomb, Hopkins, Howard, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Wayne, Jones of Vermillion, Kitchen, Lane, Lee, Lightner, Lods, Moorman, Moss, Mutz,

Nebeker, Newman, Orr, Owens, Parrett, Pitts, Polk, Ragan, Randall, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Warrum, Williams, Wells, Wilson, Woodhull, Woods and Mr. Speaker—76.

No one voting in the negative.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Bingham, from the Committee on the Organization of Courts of Justice, made the following report:

MR. SPEAKER:

The Committee on the Organization of Courts, to whom was referred House bill No. 51, entitled a bill to provide for the organization of Circuit Courts, and the election of Judges thereof, have had the same under consideration, and direct me to report the same back to the House, and recommend that it be laid on the table, for the reason that there is not sufficient time, at the present session, to perfect so radical a change as said bill proposes in the judiciary system of this State.

The report was concurred in, and the bill laid upon the table.

Mr. Cason, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 62, introduced by Mr. Stotsenburg of Floyd, have had the same under consideration, and report the same back with a recommendation that the bill pass.

The report was concurred in, and the bill considered as engrossed for a third reading.

House bill No. 62, a bill providing for the impeachment of witnesses in certain cases,

Was read a third time, and

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Bryan, Cason, Collins of Whitley, Collins of Adams, Crain, Davis, Edson, Erwin, Feagler, Ferguson, Fisher, Fordyce, Frasier, Gifford, Goar, Hall, Harvey, Hayes, Henricks, Holcomb, Hopkins, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Lane, Lee, Lightner, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Parrett, Pitts, Randall, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Turner, Underwood, Warrum, Wells, Wilson, Woods and Mr. Speaker—59.

Those who voted in the negative were,

Messrs. Campbell, Epperson, Fraley, Howard, Jones of Wayne, Kitchen, Lods, Owens, Ragan and Woodhull—10.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Stotsenburg moved a reconsideration of the vote by which the House laid upon the table a motion to reconsider the vote by which the House passed the resolution requesting the Governor to remove the Commissary General,

Which was decided out of order.

Mr. Fisher moved that when the House adjourn, it be to meet at 7½ o'clock, to-night,

Which was agreed to.

On motion,

The House adjourned till 7½ o'clock.

7½ o'clock P. M.

House met.

Mr. Stotsenburg offered the following resolution :

Resolved, That hereafter no member shall speak longer than five minutes upon any question pending before the House.

Mr. Bundy moved to amend by striking out the word "five" and inserting "ten."

Mr. Stotsenburg moved to lay the amendment on the table,
Which was agreed to.

The resolution was then adopted.

Mr. Stotsenburg offered the following resolution :

Resolved, That the members of this House introduce no more new bills during the present session,
Which was adopted.

Mr. Black asked and obtained leave to introduce,

House bill No. 68. An act to repeal section seventy-three of an act entitled "an act to provide for the valuation and assessment of the real and personal property and the collection of taxes in the State of Indiana; for the election of township assessors and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and the Treasurer and Auditor of State.

Which was read a first time and passed to a second reading.

Mr. Stotsenburg moved to take up Senate bill No. 41.
Which was agreed to.

Senate bill No. 41. A bill to provide for the execution of conveyances by commissioners in case of deceased venders of real estate.

Was read a third time.

On motion,
The bill was informally passed.

Mr. Fisher introduced

House bill No. 69. A bill making additional specific appropriations for the year 1861.

Which was read a first time.

Mr. Fisher moved to suspend the rules and read the bill a second time by its title.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Atkinson, Black, Brett, Bryan, Bundy, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopriders, Dashiell, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Fordyce, Fraley, Frasier, Goar, Hall, Harvey, Hayes, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kitchen, Lods, Lane, Lee, Lightner, McClurg, Moorman, Nebeker, Newman, Orr, Owens, Parrett, Pitts, Prosser, Prow, Randall, Roberts, Sloan, Sherman, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Wells, Williams, Woodhull, Woods and Mr. Speaker—67.

No one voting in the negative.

So the rules were suspended and the bill read a second time by its title.

Mr. Frasier moved to strike out section No. 22, appropriating money to John W. Dodd.

Which was agreed to.

Mr. Allen offered the following amendment to the bill.

Which was adopted.

SEC. 61. That Azel P. Newkirk be allowed the sum of one hundred and fifty dollars for preparing the index and superintending the printing of the Journal of the present extra session of the Legislature.

Mr. Bundy moved to read the bill by sections for amendment.
Which was agreed to.

Mr. Parrett moved to strike out section twenty-one of the bill.

Mr. Roberts moved to lay the motion on the table.

The chair decided that the motion to lay on the table prevailed.

Whereupon Mr. Parrett appealed from the decision of the chair.

The Chair having decided that the motion to strike out the claim prevailed and refused a new count, the undersigned would respectfully appeal from the decision of the Chair.

R. PARRETT.

The Chair decided the appeal out of order.

Mr. Brett moved a reconsideration of the vote by which the House laid the motion of Mr. Parrett to strike out on the table.

Mr. Frasier moved to lay the motion to reconsider on the table.

Messrs. Parrett and Hopkins demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bingham, Bundy, Collins of Whitley, Coopridger, Erwin, Feagler, Fisher, Fordyce, Fraley, Frasier, Goar, Gresham, Hopkins, Jenkinson, Jones of Tippecanoe, McClurg, Newman, Smith of Miami, Stotsenburg, Thomas, Veatch, Williams, Woodhull and Mr. Speaker—24.

Those who voted in the negative were,

Messrs. Atkinson, Black, Brett, Bryan, Campbell, Collins of Adams, Combs, Dashiell, Edson, Epperson, Ferguson, Hall, Harvey, Hayes, Henricks, Holcomb, Howard, Hudson, Hurd, Jones of Vermillion, Jones of Wayne, Kitchen, Lods, Lane, Lee, Lightner, Moorman, Moss, Nebeker, Orr, Owens, Parrett, Pitts, Prosser, Prow, Ragan, Randall, Roberts, Sloan, Sherman, Stevenson, Trier, Thompson, Turner, Underwood and Woods—46.

So the motion to lay upon the table did not prevail.

The motion to reconsider then prevailed.

The motion to strike out section twenty-one of the bill then prevailed.

In section thirty-two Mr. Bingham moved to strike out \$3 and insert \$15.

Which was agreed to.

Mr. Gresham offered the following amendment:

That Frank Cunningham be allowed nine dollars for clerking three day for the Committee on Military Affairs.

Which was adopted.

On motion,
Section forty-five was struck out of the bill.

In section forty-nine Mr. Prosser moved to strike out \$120 and insert \$160.

Which was agreed to.

In section fifty-two Mr. Black moved to strike out \$120 and insert \$160.

Messrs. Lane and Woodhull demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Atkinson, Black, Bryan, Bundy, Combs, Edson, Erwin, Fisher, Gresham, Hall, Hayes, Henricks, Howard, Jenkinson, Jones of Vermillion, Moss, Pitts, Prow, Sherman, Stotsenburg, Williams, Woodhull and Mr. Speaker—23.

Those who voted in the negative were,

Messrs. Campbell, Collins of Whitley, Collins of Adams, Coopridger, Dashiell, Feagler, Fleming, Fordyce, Fraley, Frasier, Goar, Harvey, Holcomb, Hopkins, Hudson, Hurd, Jones of Tippecanoe, Kendrick, Kitchen, Lods, Lane, Lee, Lightner, Moorman, Nebeker, Orr, Owens, Parrett, Prosser, Ragan, Randall, Roberts, Sloan, Smith of Miami, Stevenson, Trier, Thomas, Thompson, Underwood and Woods—41.

No quorum voting.

On motion by Mr. Bundy,
The House adjourned till 9 o'clock to-morrow morning.

THURSDAY MORNING, 9 o'clock, }
May 30, 1861. }

The House met.

On motion by Mr. Moss,

The reading of the journal was dispensed with.

Mr. Crain was granted leave of absence.

Pending the adjournment, was the consideration of House Bill No. 69, being the Specific Appropriation Bill.

The question being on the amendment to the 52d section,

And the ayes and noes having been demanded,

Those who voted in the affirmative were,

Messrs. Black, Brucker, Bryan, Bundy, Dashiell, Davis, Erwin, Fraley, Frasier, Hayes, Heffren, Howard, Jenkinson, Knowlton, McClurg, Moss, Packard, Prow, Sherman, Stotsenburg, Thompson, Veatch, Wilson, Woodhull and Mr. Speaker—24.

Those who voted in the negative were,

Messrs. Anderson, Atkinson, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Coopridier, Crain, Epperson, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Gifford, Hall, Henricks, Holcomb, Hopkins, Hudson, Hurd, Jones of Tippecanoe, Jones of Wayne, Kendrick, Kitchen, Lane, Lee, Lightner, Lods, McLean, Moorman, Mutz, Nebeker, Orr, Parrett, Pitts, Polk, Prosser, Ragan, Randall, Robbins, Roberts, Sloan, Smith of Bartholomew, Smith of Miami, Stevenson, Trier, Thomas, Turner, Underwood, Warrum, Wells, Williams and Woods—57.

So the amendment was not adopted.

SEC. 53. Mr. McLean moved to insert three dollars per day for thirty-six days.

Which was agreed to.

SEC. 55. Mr. Stotsenburg moved to insert one hundred and twenty dollars.

Which was agreed to.

SEC. 56. Mr. Hayes moved to strike out eighty and insert one hundred dollars.

Which was laid on the table.

Mr. Fisher offered the following amendment,

Which was adopted.

SEC. 60. That James Carrico be allowed the sum of thirty dollars and fifty cents, for balance due him for sawing and splitting wood during the regular session.

Mr. Allen offered the following amendment:

That A. Haywood be allowed forty dollars for work in the Hall of the House of Representatives.

Mr. Davis moved to strike out forty and insert thirty dollars.
Which was agreed to.

Also, twenty-two dollars for eleven days work in Senate Chamber.
Which was agreed to.

Mr. Fisher offered the following:
Which was adopted.

Amend by adding the following: That A. E. & W. H. Drapier be allowed the sum of four hundred and ninety-eight dollars for Brevier Reports of the present session, payable out of the fund appropriated to suppressing insurrection, in accordance with a contract by Door-keeper in pursuance of a resolution of this House.

Also, the following amendment:

That Sheets be allowed the sum of nineteen dollars and twenty-five cents, for stationery furnished for present session, payable out of the one million appropriation.

Which was agreed to.

Mr. Bingham offered the following amendment:

To Joseph W. Chapman, Judge of the First Judicial Circuit, for twenty-seven days services, holding the Jefferson Circuit Court in January, 1861, in adjourned session, and under the law then in force, the sum of one hundred and thirty-five dollars, payable out of the general fund.

Which was adopted.

Mr. Fisher offered the following amendment,
Which was adopted.

That Merrill & Co. be allowed for stationery furnished the present session, payable out of the one million appropriation.

Mr. Fisher offered the following amendment:

That I. P. Smith be allowed the sum of thirty dollars, for making register of acts passed at the present session of the General Assembly, for publication and forwarding to members.

Mr. Bundy moved to lay the amendment on the table.
Which was agreed to.

The Speaker laid before the House the following communication :

STATE OF INDIANA, CLERK'S OFFICE SUPREME COURT, }
Indianapolis, May 30, 1861. }

HON. CYRUS M. ALLEN,

Speaker of the House of Representatives :

SIR: I have been informed that an allowance of *six dollars* has been made to me for services in swearing witnesses at Camp Morton and here, before the investigating committee. I made no bill for such services, and respectfully decline the *magnanimous allowance* made by the Honorable Legislature. Yours, &c.,

J. P. JONES,

Clerk of Supreme Court.

Mr. Lane moved a reconsideration of the vote by which Sec. 44 was adopted, allowing clerks for forty days.

On motion by Mr. Bundy,

The motion was laid on the table.

Mr. Black moved to reconsider the vote by which the House struck out \$120 and inserted \$160 in section 44.

Which was agreed to.

The question being on the motion to strike out and insert,

Messrs. Lane and Hayes demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Black, Bryan, Bundy, Cason, Fisher, Frasier, Gresham, Hayes, Heffren, Howard, Jenkinson, Knowlton, McClurg, McLean, Newman, Packard, Polk, Randall, Sherman, Stotsenburg, Thompson, Turner, Underwood, Veatch, Williams and Woodhull—26.

Those who voted in the negative were,

Messrs. Atkinson, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopridier, Crain, Dashiell, Epperson, Erwin, Feagler, Ferguson, Fleming, Fordyce, Fraley, Gifford, Goar, Harvey, Henricks, Holcomb, Hopkins, Horton, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lods, Lang, Lee, Lightner, Moorman, Moss, Mutz, Nebeker, Orr, Owens, Parrett, Pitts, Prow, Ragan, Robbins, Roberts, Sloan, Smith of Bartholomew, Smith of Miami, Stevenson, Trier, Thomas, Warrum, Wells, Wilson and Woods—55.

So the motion did not prevail.

By Mr. Cason,

Amend by striking out \$3 and inserting \$4 for A. P. Newkirk, James Gower and J. P. Smith.

Which was adopted.

Mr. Stotsenburg offered the following amendment, which was lost :

Amend—

That the Auditor and Treasurer of State be, and are hereby authorized to allow out of the Swamp Land Fund to N. F. Cunningham, late Treasurer of State, one-fourth of one per cent. upon the amount of said fund by him received, and one-fourth of one per cent. upon the amount of said fund by him disbursed.

By Mr. Fisher,

That Bingham & Doughty be allowed the sum of nine dollars for publishing monthly statement of Auditor and Treasurer for November, 1860, and publishing an act to change the time of holding courts, payable out of the general fund.

Which was adopted.

Mr. Packard moved that the Principal and Assistant Doorkeeper be allowed \$4 per day.

Which was not agreed to.

On motion by Mr. Ragan,

The bill was ordered to be engrossed for a third reading.

Message from the Governor :

EXECUTIVE DEPARTMENT, }
May 30, 1861. }

To the House of Representatives :

I trust the Legislature will not adjourn without making some provision for the payment of the troops. The duties of Paymaster are onerous and responsible, requiring the keeping of complicated accounts, and the disbursement of large sums of money. These duties are not devolved upon any officer, and if they should be conferred by the Governor upon any person, a bond taken for the faithful performance of the duties, would be without any authority of law, and therefore void. As the law now stands the money could not be drawn

from the Treasury in large sums to pay regiments stationed at distant points.

O. P. MORTON,
Governor.

Which was referred to the Committee on the Judiciary.

Mr. Stotsenburg moved to take up House bill No. 39.
Which was agreed to.

House bill No. 39. A bill to authorize the removal of convicts from the Southern State Prison, and providing for the employment of convicts in each of said Prisons, directing what counties shall send their convicts to the Northern Prison, and providing for carrying on the work in building said Northern State Prison, and making appropriations for the support of said Prisons.

Was read a third time.

Mr. Stotsenburg offered the following amendment :

And for the purpose of having said work properly and economically done, is hereby appointed superintendent of the work and labor to be done and performed in and about said Prison ; the citizens, mechanics and convict laborers at an annual compensation of one thousand dollars.

Insert at the end of second section.

Decided out of order.

Also, the following : Strike out " authorized " and insert " required. " Which was adopted by unanimous consent.

Mr. Stotsenburg moved to strike out \$8,000 and insert \$12,000.
Which was adopted by consent.

By Mr. Sherman,

Amend by filling the blank for sixty-two for the Northern Prison with thirty thousand dollars.

Not consented to.

Mr. Fisher moved to strike out \$3 and insert \$2 for mechanics.
Which was adopted by consent.

The amendments were considered as engrossed.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bryan, Bun-
E. S. H. J.—20.

dy, Campbell, Cason, Collins of Whitley, Collins of Adams, Coopri-
der, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Fordyce,
Frasier, Gifford, Goar, Gresham, Hall, Harvey, Hayes, Heffren, Hen-
ricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jenkin-
son, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne,
Kendrick, Kitchen, Lods, Lane, Lee, Lightner, McClurg, Moorman,
Moss, Nebeker, Newman, Orr, Packard, Parrett, Polk, Prow, Ragan,
Randall, Sherman, Smith of Bartholomew, Smith of Miami, Steven-
son, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood,
Warrum, Wells, Williams, Woodhull, Woods and Mr. Speaker—72.

Those who voted in the negative were,

Messrs. Dashiell, Davis and Prosser—3.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Allen asked and obtained leave to introduce

House bill No. 70. A bill providing for the appointment of pay-
master, defining his duties, fixing his compensation, and prescribing
punishment for violations of the provisions of the same.

Mr. Allen moved to suspend the rules, and read the bill a second
time by its title.

The ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bryan, Bun-
dy, Campbell, Cason, Collins of Adams, Coopri-der, Dashiell, Davis,
Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford,
Fordyce, Frasier, Gifford, Goar, Gresham, Hall, Hayes, Heffren,
Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd,
Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Ken-
drick, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, McClurg,
Moorman, Moss, Nebeker, Newman, Orr, Packard, Parrett, Pitts,
Polk, Prosser, Prow, Ragan, Randall, Robbins, Sherman, Smith of
Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier,
Thomas, Thompson, Turner, Underwood, Warrum, Wells, Williams,
Woodhull, Woods and Mr. Speaker—77.

No one voting in the negative.

So the rules were suspended, and the bill read a second time by its title.

Mr. Stotsenburg moved to strike out \$800 and insert \$1000.

Mr. Ragan moved to amend by inserting \$1500.

Mr. Packard moved to lay the amendments on the table.

Mr. Ragan's amendment was laid on the table.

Mr. Stotsenburg's amendment was not laid upon the table.

The amendment was then adopted.

Mr. Allen offered an amendment limiting the term of office to two years.

Which was adopted.

Mr. Heffren moved that the bill be considered as engrossed, and read a third time now,

Which was agreed to.

House bill No. 70 was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brucker, Bryan, Bundy, Cason, Collins of Whitley, Collins of Adams, Combs, Dashiell, Davis, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Hayes, Heffren, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Lane, Lightner, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Parrett, Pitts, Pitts, Prosser, Prow, Ragan, Randall, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Wells, Williams, Woodhull and Mr. Speaker—71.

Those who voted in the negative were,

Messrs. Campbell, Coopridger, Horton, Knowlton, Lods, Packard, Robbins, Warrum and Woods—8.

Present and refusing to vote, Mr. Veatch.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

REPORTS FROM COMMITTEES.

Mr. Fisher, from the Committee on Ways and Means, made the following report:

MR. SPEAKER:

The Committee of Ways and Means, to whom was referred Senate bill No. 16: A bill providing for the manner of procuring, and the quantity of subsistence stores and article in Quartermaster and Commissary departments, prescribing the duties of certain officers therein mentioned, and the punishment for the violation of the provisions of this act, have had said bill under consideration, and have directed me to report the same back with the following amendment, and when so amended recommend its passage:

Strike out the 1st and 2d section, and insert the following:

Also amend by changing numbers of so many sections to correspond with first amendment.

Strike out first section of the bill and insert:

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana*, That subsistence stores for the volunteers and military force of this State, unless in particular cases of emergency when times will not permit, the Governor shall otherwise direct, shall be procured by contract, to be made by the Commissary General and the Quartermaster General, in their respective departments, in the following manner: they shall give notice in two newspapers of most general circulation in the city of Indianapolis, and daily newspapers in the city of New Albany, and if supplies are required at any point other than Indianapolis, then in one or more newspapers published in the immediate vicinity of the place where such supplies are required, that on a day to be named in such notice, sealed proposals will be received for such supplies, and on the day named they shall open such proposals, and proceed to award contracts thereon to the lowest responsible bidder. If in their opinion the bids are too high, they may refuse to award contracts, or they may award contracts for less quantity than was specified in said notice, if the wants of the troops immediately require it. They may award contracts to different parties for the different articles named in said notice, or for a

part of the articles in said notice mentioned, and withhold the residue, if the interest of the State require it. Duplicate contracts shall be signed by the Commissary General, if in his department, or the Quartermaster General, if in his department, and by the contractor. Each contractor shall give bond to the State of Indiana, with good and sufficient security, to be approved by the officer making the contract, for the faithful compliance with its terms.

SEC. 2. That the Inspector General shall inspect all stores delivered upon any contract, and if such stores are unsound or inferior in quality, he shall reject them, and if the contractor fails to furnish and deliver according to the terms of the contract, he shall immediately notify the officer making said contract on the part of the State of that fact, who shall proceed to procure the supplies named in such contracts, or such parts thereof as are required for immediate use by private contracts or otherwise, and commence suit upon the bond of such contractor to recover any damage the State may sustain in consequence of such failure.

SEC. 3. Whenever said Inspector General shall decide that any contract has been complied with, he shall give a certificate to that effect, whereupon the officer making such contract shall certify the amount due on such contract, which certificate, together with a copy of the contract, shall be filed in the office of Auditor of State, and said certificate shall operate as a receipt against the officer making it, for the amount of stores therein named, and the amount certified to be due on such contract, shall be paid according to law.

SEC. 4. The Commissary General and Quartermaster General shall from time to time, as the wants of the service may require, deliver to the Regimental Commissary and Regimental Quartermaster such supplies as may be needed, taking receipt therefor, which receipts shall operate as vouchers in their hands for the disposal of such supplies.

2. Amend the numbers of sections 3, 4, 5 and 6, so as to read sections 5, 6, 7 and 8 respectively.

The report was concurred in and the amendments adopted.

Sente bill No. 16 was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Bryan, Bundy, Campbell, Cason, Collins of Whitley, Combs, Dashiel, Davis, Edson, Erwin,

Feagler, Fisher, Fleming, Ford, Fordyce, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lane, Lightner, McClurg, McLean, Moorman, Mutz, Nebeker, Orr, Packard, Parrett, Pitts, Prow, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Warrum, Wells, Williams, Woodhull, Woods and Mr. Speaker—71.

No one voting in the negative,

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Cason, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom were referred Senate bill No. 31, introduced by Mr. March, relating to the docket fees of district attorneys, have examined the same, and recommend the following amendment thereto:

1. Strike out all of section 2 after the word "cost," in the 5th line, and also strike out all of section 3, and insert the following:

SEC. 3. The said district attorneys shall each receive an annual salary of \$300 in addition to the fees herein provided for, to be paid out of the county treasury of each county in the proper Common Pleas District, in proportion to the number of taxable polls in each county. But in any case when the district attorney fails to attend and prosecute the pleas of the State at any term of the court, the allowances made by the court to attorneys appointed to prosecute in his stead, shall be deducted from his salary, and when so amended recommend its passage.

The report was concurred in, and the amendments adopted.

Senate bill No. 31 was then read a third time, and

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Bingham, Black, Brett, Brucker, Bryan, Bundy,

Cason, Collins of Whitley, Dashiel, Edson, Erwin, Feagler, Fisher, Fordyce, Fraley, Frasier, Gifford, Goar, Hall, Harvey, Heffren, Henricks, Hopkins, Howard, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lightner, Moorman, Nebeker, Newman, Orr, Parrett, Pitts, Ragan, Randall, Robbins, Roberts, Sloan, Smith of Bartholomew, Smith of Miami, Stotsenburg, Thomas, Thompson, Underwood, Wells, Williams, Woodhull and Mr. Speaker—56.

Those who voted in the negative were,

Messrs. Atkinson, Campbell, Coopriders, Davis, Epperson, Fleming, Ford, Horton, Jenkinson, Lods, Lane, McClurg, Mutz, Polk, Prow, Stevenson, Trier, Warrum and Woods—18.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

House bill No. 69. A bill making additional specific appropriations for the year 1861.

Was read a third time, and

The question being shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brett, Brucker, Bryan, Bundy, Campbell, Cason, Collins of Whitley, Coopriders, Dashiel, Davis, Epperson, Erwin, Feagler, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Hall, Harvey, Heffren, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lods, Lane, Lightner, McClurg, Moorman, Nebeker, Newman, Orr, Oweus, Parrett, Pitts, Polk, Prow, Ragan, Randall, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Underwood, Warrum, Wells, Williams, Woodhull, Woods and Mr. Speaker—70.

Mr. Robbins voting in the negative.

So the bill passed.

Ovdered, That the Clerk inform the Senate thereof.

On motion,
The House adjourned till 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met.

Mr. Bundy moved to take up Senate message containing Senate bill No. 24.

Which was agreed to.

Message from the Senate, by Mr. Brown, their Secretary :

MR. SPEAKER:

I am instructed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof, to-wit :

Senate bill No. 24. A bill fixing the time of holding the Circuit Court in Owen county, and repealing all laws in conflict with the provisions of this act.

Senate bill No. 24 was read a first time.

Mr. Bundy moved to suspend the rules and read the bill a second time by its title.

The ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Bryan, Bundy, Campbell, Cason, Collins of Whitley, Combs, Coopridner, Davis, Edson, Epper-son, Feagler, Fisher, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hop-kins, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Wayne, Kitchen, Lods, Lane, Lightner, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Packard, Pitts, Polk, Prosser, Prow, Ran-dall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, War-rum, Wells, Williams, Woodhull, Woods and Mr. Speaker—68.

No one voting in the negative.

So the rules were suspended and the bill read a second time by its title.

Mr. Bundy moved that the bill be read a third time now.
Which was agreed to.

Senate bill No. 24 was read a third time, and

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Branham, Bryan, Bundy, Campbell, Collins of Whitley, Combs, Coopriders, Davis, Edson, Epperson, Erwin, Feagler, Fisher, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Wayne, Kitchen, Lods, Lane, Lightner, McClurg, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Packard, Parrett, Pitts, Polk, Prow, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Underwood, Veatch, Warrum, Wells, Williams, Woodhull, Woods and Mr. Speaker—71.

No one voting in the negative.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

By unanimous consent, an emergency clause was added to the bill.

Mr. Stotsenburg called up Senate bill No. 41, which was read a third time yesterday, and informally passed.

Senate bill No. 41. A bill to provide for the execution of conveyances by commissioners in case of deceased vendors of real estate.

The question being shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Bryan, Bundy, Campbell, Collins of Whitley, Combs, Coopriders, Davis, Edson, Epperson, Erwin, Feagler, Fisher, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Howard, Hurd, Hudson, Jenkinson, Jones of Tippecanoe, Jones of Wayne, Kitchen, Lightner, Lods, McClurg, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Packard, Pitts, Prosser, Prow, Randall, Rob-

bins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Underwood, Veatch, Warrum, Wells, Williams, Woodhull, Woods and Mr. Speaker—77.

No one voting in the negative.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Henricks, from a Select Committee on House bill No. 32, made the following report:

MR. SPEAKER:

Your Committee, to whom was referred House bill No. 32, have had the same under consideration, and have directed me to make the following report:

Amend by inserting between sections one and two, the following four sections, numbered two, three, four and five, and number section two of the bill section six,

And when so amended, recommend its passage.

The report was concurred in, and the amendment adopted, and considered as engrossed.

House bill No. 32. A bill supplemental to an act to authorize the construction of levees and drains, approved June 12, 1852,
Was read a third time, and

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Black, Branham, Brett, Brucker, Bryan, Bundy, Campbell, Cason, Collins of Whitley, Coopridger, Dashiell, Davis, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fordyce, Fraley, Frasier, Gifford, Goar, Hall, Harvey, Haworth, Heffren, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kitchen, Lane, Lee, Lightner, Lods, McClurg, McLean, Moorman, Moss, Mutz, Nebeker, Orr, Pitts, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Williams, Woodhull, Woods and Mr. Speaker—74.

Those who voted in the negative were,

Messrs. Atkinson, Combs, Hayes, Knowlton, Packard, Polk, Prosser and Smith of Bartholomew—8.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Fisher asked and obtained leave to introduce the following resolution :

Resolved, That the Enrolling Clerk be authorized to employ such Assistants as may be actually necessary, for the remainder of the session, who shall be allowed the same pay per diem as other Clerks are allowed,

Which was adopted.

Mr. Orr moved to take up Senate messages,
Which was agreed to.

Message from the Senate, by Mr. Brown, their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following joint resolution thereof, to-wit :

Senate joint resolution No. 8. A joint resolution for the relief of certain counties and county auditors from the penalties prescribed in section 117 of an act to provide for a general system of common schools, &c., approved March 11, 1861, and directing the Superintendent of Public Instruction to make the next apportionment of the school revenue, without reference to the diminution authorized by said section 117.

In which the concurrence of the House is respectfully requested.

The question being on the passage of the joint resolution,

Mr. Heffren moved to lay the resolution on the table,
Which was not agreed to.

The question being on its passage,

Those who voted in the affirmative were,

Messrs. Anderson, Black, Branham, Brett, Brucker, Bryan, Camp-

bell, Collins of Whitley, Collins of Adams, Coopridger, Dashiell, Davis, Epperson, Erwin, Feagler, Fisher, Fleming, Ford, Fordyce, Frasier, Goar, Gresham, Hall, Harvey, Haworth, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kitchen, Lee, Lods, McClurg, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Owens, Pitts, Polk, Prow, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Williams, Woodhull, Woods and Mr. Speaker—69.

Those who voted in the negative were,

Messrs. Atkinson, Bundy, Combs, Edson, Ferguson, Fraley, Gifford, Hayes, Heffren, Horton, Knowlton, Lane, Lightner, Packard, Ragan, Stotsenburg and Trier—17.

So the joint resolution passed.

Ordered, That the Clerk inform the Senate thereof.

Message from the Senate, by Mr. Brown, their Secretary.

MR. SPEAKER:

I am instructed by the Senate to inform the House of Representatives that the Senate has passed the following bills thereof, namely:

Senate bill No. 34. A bill to regulate the contingent fee on perpetual scholarships in the State University, and providing for the purchase of the same,

Which was read a first time.

Mr. Campbell moved that the rules be suspended, and the bill read a second time by its title now.

The ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Branham, Brett, Brucker, Bryan, Bundy, Campbell, Collins of Whitley, Collins of Adams, Coopridger, Dashiell, Davis, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Harvey, Haworth, Heffren, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, McClurg, Moorman, Moss, Mutz, Newman, Orr, Owens,

Packard, Pitts, Polk, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—81.

Those who voted in the negative were,

Messrs. Combs, Fleming and Hayes—3.

So the rules were suspended, and the bill read a second time by its title.

Mr. Veatch moved that the be read a third time now,
Which was agreed to, and,

Senate bill No. 34 was read a third time.

The question being shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Branham, Brett, Brucker, Bryan, Campbell, Collins Whitley, Collins of Adams, Coopridner, Dashiell, Davis, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fordyce, Gifford, Goar, Gresham, Hall, Haworth, Henricks, Hopkins, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Knowlton, Lane, Lightner, McClurg, Moorman, Moss, Nebeker, Owens, Packard, Pitts, Polk, Prow, Randall, Sloan, Smith of Bartholomew, Smith of Miami, Stevenson, Thomas, Thompson, Turner, Underwood, Veatch, Wells, Williams, Woodhull, Woods and Mr. Speaker—61.

Those who voted in the negative were,

Messrs. Bundy, Combs, Fleming, Ford, Fraley, Hayes, Heffren, Holcomb, Horton, Lods, Lee, Mutz, Newman, Orr, Ragan, Robbins, Roberts, Stevenson, Stotsenburg and Warrum—20.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Senate bill No. 49. A bill to amend sections 54 and 56 of an act passed March 11, 1861, entitled an act to provide for a system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and for the estab-

lishment and regulation of township libraries, and to repeal all laws inconsistent therewith.

Was read a first time.

Mr. Jones of Wayne, moved that the rules be suspended and the bill read a second time by its title.

The ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bryan, Bundy, Campbell, Collins of Whitley, Collins of Adams, Combs, Coop-
rider, Dashiell, Davis, Edson, Epperson, Erwin, Feagler, Fisher,
Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham,
Hall, Harvey, Haworth, Heffren, Henricks, Holcomb, Hopkins,
Horton, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of
Wayne, Jones of Vermillion, Kitchen, Lods, Lane, Lee, Lightner, Moss,
McClurg, Nebeker, Newman, Orr, Owens, Packard, Pitts, Polk, Prow,
Ragan, Randall, Robbins, Sloan, Sherman, Smith of Bartholomew,
Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson,
Turner, Underwood, Veatch, Warrum, Wells, Williams, Woodhull,
Woods and Mr. Speaker—76.

No one voting in the negative.

So the rules were suspended, and the bill read a second time by its title.

Mr. Nebeker moved to read the bill a third time now.
Which was agreed to, and

Senate bill No. 49 read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bingham, Black, Brett, Brucker, Bryan, Bundy, Camp-
bell, Collins of Whitley, Collins of Adams, Combs, Coop-
rider, Dashiell, Davis, Edson, Erwin, Feagler, Fisher, Fleming, Ford, Fordyce,
Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes,
Heffren, Henricks, Holcomb, Hopkins, Horton, Hudson, Jenkinson,
Jones of Vermillion, Jones of Wayne, Lane, Lee, Lightner, McClurg,
Moorman, Moss, Nebeker, Newman, Owens, Packard, Pitts, Polk,
Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith
of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier,

Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Williams, Woodhull, Woods and Mr. Speaker—69.

Those who voted in the negative were,

Messrs. Atkinson, Hurd, Jones of Tippecanoe, Knowlton and Lods—5.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Senate bill No. 22. A bill to fix the times of holding the Circuit Courts in the 11th judicial circuit, and to regulate the return of process in said circuit.

Mr. Gresham moved to suspend the rules and read the bill a first and second time by its title.

The ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Bingham, Black, Brett, Brucker, Bryan, Bundy, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopridger, Dashiell, Davis, Erwin, Feagler, Fisher, Fleming, Ford, Fordyce, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Hudson, Jenkinson, Jones of Vermillion, Jones of Wayne, Lane, Lee, Lightner, McClurg, Moorman, Moss, Nebeker, Newman, Owens, Packard, Pitts, Polk, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Williams, Woodhull, Woods and Mr. Speaker—69.

So the rules were suspended and Senate bill read a first and second time by its title.

On motion,

The bill was referred to a select committee consisting of Messrs. Hall, Fisher and Knowlton.

Senate bill No. 23. A bill to amend sections one and two of an act entitled "an act relative to the salaries of public officers, and providing the manner of paying the same, and the manner of reimbursing the State for an increase of salaries," approved March 5, 1859.

Mr. Gresham moved to suspend the rules and read the bill a first and second time by its title.

The ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Bingham, Black, Brett, Brucker, Bryan, Bundy, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopridner, Dashiell, Davis, Edson, Erwin, Feagler, Fisher, Fleming, Ford, Fordyce, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Hudson, Jenkinson, Jones of Vermillion, Jones of Wayne, Lane, Lee, Lightner, McClurg, Moorman, Moss, Nebeker, Newman, Owens, Packard, Pitts, Polk, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Williams, Woodhull, Woods and Mr. Speaker—71.

Those who voted in the negative were,

Messrs. Atkinson, Hurd, Jones of Tippecanoe, Knowlton and Lods—5.

So the rules were suspended and the bill read a first and second time by its title.

Mr. Brett moved to read the bill a third time now.
Which was agreed to.

Senate bill No. 23 was read a third time.

The question being on the passage,

Mr. Hopkins moved to lay the bill on the table.
Which was agreed to.

Senate bill No. 32. A bill for the relief of Joseph Moore.

Mr. Allen moved to suspend the rules and read the bill a first and second time by its title.

The ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Bingham, Black, Brett, Brucker, Bryan, Bundy, Camp-

bell, Collins of Whitley, Collins of Adams, Combs, Coopridger, Dashiell, Davis, Edson, Erwin, Feagler, Fisher, Fleming, Ford, Fordyce, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Hudson, Jenkinson, Jones of Vermillion, Jones of Wayne, Lane, Lee, Lightner, McClurg, Moorman, Moss, Nebeker, Newman, Owens, Packard, Pitts, Polk, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Williams, Woodhull, Woods and Mr. Speaker—71.

Those who voted in the negative were,

Messrs. Atkinson, Hurd, Jones of Tippecanoe, Knowlton and Lods—5.

So the rules were suspended and the bill read a first and second time by its title.

Mr. Gresham moved to read the bill a third time now.
Which was agreed to, and

Senate bill No. 32 was read a third time, and

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brucker, Bryan, Bundy, Campbell, Collins of Whitley, Collins of Adams, Combs, Dashiell, Davis, Epperson, Erwin, Feagler, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kitchen, Lods, Lane, Lee, Lightner, McClurg, McLean, Moorman, Moss, Nebeker, Newman, Orr, Packard, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Randall, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Underwood, Veatch, Warrum, Wells, Williams, Woodhull, and Mr. Speaker—75.

No one voting in the negative.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.
E. S. H. J.—21.

Also,

Senate bill No. 36. A bill to change the time of holding the Common Pleas Court in the county of Tippecanoe, making all process returnable thereto, and declaring when this act shall take effect.

Mr. Nebeker moved to suspend the rules and read the bill a first and second time by its title.

The ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Bingham, Black, Brett, Brucker, Bryan, Bundy, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopridier, Dashiel, Davis, Edson, Erwin, Feagler, Fisher, Fleming, Ford, Fordyce, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Hudson, Jenkinson, Jones of Vermillion, Jones of Wayne, Lane, Lee, Lightner, McClurg, Moorman, Moss, Nebeker, Newman, Owens, Packard, Pitts, Polk, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Williams, Woodhull, Woods and Mr. Speaker—71.

Those who voted in the negative were,

Messrs. Atkinson, Hurd, Jones of Tippecanoe, Knowlton and Lods—5.

So the rules were suspended, and the bill read a first and second time by its title.

On motion,
The bill was read a third time, and

The question being on its passage,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brucker, Bryan, Bundy, Campbell, Collins of Adams, Combs, Coopridier, Dashiel, Davis, Epperson, Erwin, Feagler, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Wayne, Jones of Vermillion, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, McClurg, Moorman, Moss, Newman, Orr, Owens, Packard, Parrett, Pitts, Polk, Prosser, Prow,

Ragan, Randall, Robbins, Roberts, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thompson, Turner, Underwood, Veatch, Warrum, Williams, Woodhull, Woods and Mr. Speaker—76.

No one voting in the negative.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Also—

Senate bill No. 37. An act defining what shall constitute certain felonies, and fixing the penalties therefor.

Mr. Bundy moved that the rules be suspended, and the bill read a first and second time by its title.

The ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brucker, Bryan, Bundy, Campbell, Collins of Adams, Combs, Coopriders, Dashiell, Davis, Epperson, Erwin, Feagler, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Wayne, Jones of Vermillion, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, McClurg, Moorman, Moss, Newman, Orr, Owens, Packard, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Randall, Robbins, Roberts, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thompson, Turner, Underwood, Veatch, Warrum, Williams, Woodhull, Woods and Mr. Speaker—76.

No one voting in the negative.

So the rules were suspended, and the bill read a first and second time by its title, and,

On motion,
The bill was read a third time.

The question being on its passage,

Those who voted in the affirmative were,

Messrs. Anderson, Bryan, Bundy, Cason, Collins of Whitley, Coopriders, Dashiell, Davis, Erwin, Feagler, Ferguson, Fisher, Fleming,

Ford, Fordyce, Goar, Hall, Harvey, Haworth, Holcomb, Hopkins, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Wayne, Knowlton, Lane, Lee, Lightner, McClurg, Moorman, Moss, Nebeker, Newman, Orr, Owens, Parrett, Prosser, Prow, Ragan, Randall, Robbins, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Williams, Woodhull, Woods and Mr. Speaker—62.

Those who voted in the negative were,

Messrs. Atkinson, Black, Brucker, Campbell, Collins of Adams, Combs, Epperson, Fraley, Frasier, Hayes, Heffren, Kitchen, Lods, Pitts, Polk and Roberts—16.

So the bill passed.

Mr. Knowlton, from a Select Committee, made the following report:

MR. SPEAKER:

The Committee to whom was referred Senate bill No. 22, have had the same under consideration and found the bills correct, and directed me to report the same back and recommend its passage.

Senate bill No. 22 was read a third time, and,

The question being on its passage ?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bryan, Bundy, Campbell Cason, Collins of Whitley, Collins of Adams, Combs, Coopridier, Dashiell, Davis, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Harvey, Haworth Heffren, Holcomb, Hopkins, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Wayne, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, McClurg, Moorman, Moss, Nebeker, Newman, Orr, Owens, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Willirms, Woodhull and Mr. Speaker—77.

Those who voted in the negative were,

Messrs. Hall and Hayes—2.

So the bill passed.

Senate bill No. 35. An act to amend section seventy-one of an act entitled "an act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement," approved June 17, 1852.

Mr. Orr moved to suspend the rules and read the bill a first and second time by its title now.

The ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Bingham, Black, Brett, Brucker, Bryan, Bundy, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopridier, Dashiel, Davis, Edson, Erwin, Feagler, Fisher, Fleming, Ford, Foadyee, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Hudson, Jenkinson, Jones of Vermillion, Jones of Wayne, Lane, Lee, Lightner, McClurg, Moorman, Moss, Nebeker, Newman, Owens, Packard, Pitts, Polk, Prow, Ragan, Randall Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Williams, Woods and Mr. Speaker—71,

Those who voted in the negative were,

Messrs. Atkinson, Hurd, Jones of Tippecanoe, Knowlton and Lods—5.

So the rules were suspended and the bill read a first and second time by its title.

On motion,

The bill was read a third time, and,

The question being on its passage?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Brucker, Bryan, Cason, Collins of Whitley, Collins of Adams, Combs, Coopridier, Dashiel, Davis, Edson, Epperson, Erwin, Feagler, Fordyce, Frasier, Goar, Hayes, Holcomb, Hopkins, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Lightner, Moss, Moorman, Parrett, Pitts, Randall, Roberts, Sherman, Stevenson, Thomas, Thompson, Turner, Underwood, Wells, Williams and Mr. Speaker—42.

Those who voted in the negative were,

Messrs. Black, Brett, Bundy, Campbell, Fleming, Ford, Fraley, Gifford, Hall, Harvey, Haworth, Heffren, Horton, Jenkinson, Kitchen, Knowlton, Lods, Lane, Lee, Mutz, Nebeker, Orr, Packard, Polk, Prosser, Prow, Ragan, Robbins, Smith of Bartholomew, Smith of Miami, Stotsenburg, Trier, Warrum, Woodhull and Woods—35.

So the bill failed for want of a constitutional majority.

Also—

Senate bill No. 33. A bill to amend section thirty-four of an act to provide for the incorporation of railroad companies. Approved May 11, 1852.

Mr. Orr moved that the rules be suspended and the bill read a first and second time by its title now.

The ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Bingham, Black, Brett, Brucker, Bryan, Bundy, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopridger, Dashiel, Davis, Edson, Erwin, Feagler, Fisher, Fleming, Ford, Fordyce, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Hudson, Jenkinson, Jones of Vermillion, Jones of Wayne, Lane, Lee, Lightner, McClurg, Moorman, Moss, Nebeker, Newman, Owens, Packard, Pitts, Polk, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Williams, Woodhull, Woods and Mr. Speaker—71.

Those who voted in the negative were,

Messrs. Atkinson, Hurd, Jones of Tippecanoe, Knowlton and Lods—5.

So the rules were suspended and the bill read a first and second time by its title.

Mr. Parrett moved to lay the bill on the table.
Which was agreed to.

Also—

Senate bill No. 38. A bill requiring quarter-masters and commis-

saries to execute an official bond, and directing where the same shall be filed.

Mr. Allen moved that the rules be suspended and the bill read a first and second time by its title.

The ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Bingham, Black, Brett, Brucker, Bryan, Bundy, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopridger, Dashiell, Davis, Edson, Erwin, Feagler, Fisher, Fleming, Fordyce, Ford, Frasier, Gifford, Goar, Gresham, Hall, Hayes, Haworth, Harvey, Heffren, Henricks, Holcomb, Hopkins, Horton, Hudson, Jenkinson, Jones of Vermillion, Jones of Wayne, Lane, Lee, Lightner, McClurg, Moorman, Moss, Nebeker, Newman, Owens, Packard, Polk, Pitts, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Williams, Woodhull, Woods and Mr. Speaker—71.

Those who voted in the negative were,

Messrs. Atkinson, Hurd, Jones of Tippecanoe, Knowlton and Lods—5.

So the rules were suspended and the bill read a first and second time by its title.

On motion,

The bill was read a third time, and,

The question being on its passage?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Brett, Brucker, Bryan, Bundy, Cason, Collins of Whitley, Collins of Adams, Dashiell, Davis, Epperson, Erwin, Feagler, Fisher, Fordyce, Frasier, Gifford, Goar, Gresham, Harvey, Haworth, Hayes, Heffren, Hopkins, Horton, Hudson, Hurd, Jones of Vermillion, Jones of Wayne, Lane, Lee, Lightner, Moorman, Newman, Orr, Owens, Packard, Parrett, Polk, Ragan, Randall, Robbins, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Thomas, Thompson, Turner, Underwood, Veatch, Wells, Woodhull, Woods and Mr. Speaker—58.

Those who voted in the negative were,

Messrs. Black, Campbell, Combs, Edson, Fleming, Ford, Fraley, Holcomb, Jenkinson, Knowlton, Lods, Moss, Mutz, Nebeker, Pitts, Prosser, Prow, Stotsenburg and Warrum—19.

So the bill passed.

On motion,

Mr. Robbins was granted leave of absence.

Senate bill No. 39. A bill to amend the twelfth section of an act regulating descents, and the apportionment of estates, approved May 14, 1252.

Mr. Allen moved to suspend the rules and read the bill a first and second time by its title now.

The ayes and noes being taken.

Those who voted in the affirmative were,

Messrs. Bingham, Black, Brett, Brucker, Bryan, Bundy, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopridier, Dashiel, Davis, Edson, Erwin, Feagler, Fisher, Fleming, Ford, Fordyce, Frasier, Gifford, Gore, Gresham, Hall, Harvey, Haworth, Hayes, Hefren, Henricks, Holcomb, Hopkins, Horton, Hudson, Jenkinson, Jones of Vermillion, Jones of Wayne, Lane, Lee, Lightner, McClurg, Moorman, Moss, Mutz, Nebeker, Newman, Owens, Packard, Pitts, Polk, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Williams, Woods and Mr. Speaker—71.

Those who voted in the negative were,

Messrs. Atkinson, Hurd, Jones of Tippecanoe, Knowlton and Lods—5.

So the rules were suspended and the bill read a first and second time by its title.

On motion,
The bill was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Atkinson, Bryan, Bundy, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Coopriders, Dashiell, Davis, Edson, Erwin, Feagler, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Goar, Gresham, Harvey, Haworth, Heffren, Holcomb, Horton, Hurd, Jenkinson, Jones of Vermillion, Jones of Wayne, Kitchen, Lane, Lee, Lightner, Moorman, Owens, Prosser, Randall, Sherman, Smith of Miami, Stevenson, Stotsenburg, Thomas, Thompson, Underwood, Wells and Mr. Speaker—49.

Those who voted in the negative were,

Messrs. Black, Brucker, Epperson, Hall, Hayes, Henricks, Hopkins, Hudson, Knowlton, Lods, Moss, Mutz, Nebeker, Newnan, Orr, Packard, Parrett, Pitts, Polk, Prow, Ragan, Randall, Roberts, Sloan, Smith of Bartholomew, Trier, Turner, Warrum, Williams and Woodhull—30.

So the bill failed and for want of a constitutional majority.

Mr. Prosser moved a new call,
Which was ordered.

Those who voted in the affirmative were,

Messrs. Atkinson, Brett, Bryan, Campbell, Collins of Whitley, Collins of Adams, Combs, Dashiell, Davis, Erwin, Feagler, Fisher, Fordyce, Frasier, Goar, Gresham, Harvey, Haworth, Heffren, Holcomb, Hurd, Jones of Vermillion, Jones of Wayne, Lee, Lightner, Moorman, Moss, Newman, Owens, Prosser, Prow, Randall, Sherman, Smith of Miami, Stotsenburg, Thomas, Thompson, Underwood, Veatch, Warrum, Wells and Mr. Speaker—43.

Those who voted in the negative were,

Messrs. Anderson, Black, Brucker, Coopriders, Edson, Epperson, Fleming, Fraley, Gifford, Hall, Hayes, Henricks, Hopkins, Horton, Hudson, Jenkinson, Jones of Tippecanoe, Kitchen, Lods, Mutz, Nebeker, Orr, Packard, Parrett, Pitts, Polk, Ragan, Roberts, Sloan, Smith of Bartholomew, Stevenson, Trier, Turner, Williams, Woodhull and Woods—36.

So the bill failed for want of a constitutional majority.

Also,

Senate bill No. 53. An act to amend the eleventh and twenty-

fourth sections of an act entitled an act regulating the election and duties of State Librarian, approved May 27, 1852, and to punish the violation of its provisions.

Mr. Gresham moved to suspend the rules and read the bill a first and second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brett, Brucker, Bryan, Bundy, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopridner, Dashiell, Davis, Edson, Erwin, Feagler, Fisher, Fleming, Ford, Frazier, Gifford, Goar, Gresham, Hall, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kitchen, Knowlton, Lee, Lightner, McClurg, McLean, Moorman, Moss, Nebeker, Newman, Orr, Owens, Packard, Pitts, Polk, Prow, Ragan, Robbins, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Williams, Woodhull, Woods and Mr. Speaker—73.

No one voting in the negative.

So the rules were suspended, and the bill read a first and second time by its title.

On motion,
The bill was read a third time.

And the question being on its passage.

Mr. Edson offered the following amendment to the bill,
Which was adopted by consent:

Amend so as to make the provisions of the bill relative to law books extend to the following books, viz: Nor reviews, magazines, cyclopedias, books for reference of any kind, news or literary journals in bound volumes or single numbers of any work, in a number of volumes, or any very costly or rare work.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bryan, Bundy, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Coopridner, Dashiell, Davis, Edson, Epperson, Erwin, Feagler, Fisher, Flem-

ing, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kitchen, Lane, Lee, Lightner, Lods, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Packard, Parrett, Pitts, Prow, Ragan, Randall, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Williams, Woodhull, Woods and Mr. Speaker—78.

No one voting in the negative.

So the bill passed.

Also,—

Senate bill No. 46. A bill to amend sections 123 and 136 of an act entitled "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana ; for the election of township assessors."

Mr. Fisher moved that the rules be suspended and the bill read a first and second time by its title, now.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Bingham, Black, Brett, Brucker, Bryan, Bundy, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopridner, Dashiell, Davis, Edson, Erwin, Feagler, Fisher, Fleming, Fordyce, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Hudson, Jenkinson, Jones of Vermillion, Jones of Wayne, Lane, Lee, Lightner, McClurg, Moorman, Moss, Nebeker, Newman, Owens, Packard, Pitts, Polk, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Williams, Woodhull, Woods and Mr. Speaker—71.

Those who voted in the negative were,

Messrs. Atkinson, Hurd, Jones of Tippecanoe, Knowlton and Lods—5.

So the rules were suspended, and the bill read a first and second time by its title.

On motion,
The bill was read a third time, and

The question being shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bundy, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Coopriders, Dashiell, Davis, Edson, Epperson, Erwin, Feagler, Fisher, Fleming, Ford, Fordyce, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Wayne, Kitchen, Lods, Lane, Lee, Lightner, Moorman, Moss, Mutz, Nebeker, Orr, Packard, Parrett, Pitts, Prosser, Prow, Ragan, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Underwood, Veatch, Warrum, Wells, Williams, Woodhull, Woods and Mr. Speaker—74.

Those who voted in the negative were,

Messrs. Fraley, Frasier, Newman and Turner—4.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Message from the Senate, by Mr. Brown, their Secretary :

MR. SPEAKER:

I am instructed to inform the House that the Senate has passed the following resolution :

Resolved, That the House be requested to return House bill No. 38 to the Senate.

Mr. Nebeker moved that when the House adjourn, it be till 7½ o'clock, to-night.

Which was agreed to.

On motion,
The House adjourned till 7½ o'clock this evening.

7 O'CLOCK, P. M.

The House met.

Mr. Ragan, from the Committee on Education, made the following report :

MR. SPEAKER :

The Committee on Education, to whom was referred House bill No. 64, have had the same under consideration, and requested me to report it back with the following amendments, to-wit: Strike out the first and second sections, and recommend that the bill then pass.

The report of the Committee was concurred in, and the amendment adopted.

Mr. Haworth, from the Committee on Military Affairs, made the following report :

MR. SPEAKER :

The Committee on Military Affairs, to whom was referred resolution No. 3, introduced by Mr. Hayes, have had the same under consideration, and have instructed me to report the same back, and recommend that it lie on the table.

The report was concurred in and the resolution laid on the table.

House bill No. 68. A bill to repeal section 73 of an act entitled "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes, in the State of Indiana, for the election of township assessors, &c."

Was read a second time, and considered as engrossed for a third reading.

Senate bill No. 43 was read a second time.

Mr. Stotsenburg offered the following amendment :
Which was adopted.

Senate bill No. 43. Strike out of the first section the words "and district," and also wherever it occurs in the bill.

Message from the Senate by Mr. Brown, their Secretary :

MR. SPEAKER :

I am instructed by the Senate to inform the House of Representatives that the Senate has refused to concur in the engrossed amendment of the House to the following Senate bill, to-wit :

Senate bill No. 31. A bill regulating docket fees of district attorneys in the Courts of Common Pleas and before justices of the peace, and regulating prosecuting attorneys' fees for prosecutions on forfeited recognizances.

Mr. Fisher moved that the House insist upon its amendments, and ask for a Committee of Free Conference.

Which was agreed to.

Messrs. Bundy, Orr and Stotsenburg were appointed said committee on the part of the House.

Mr. Holcomb asked and obtained leave to introduce the following resolution :

Resolved, That the Doorkeeper be instructed to procure and distribute to the members their quota of the copies of the Militia Laws ordered by the House.

Which was adopted.

Mr. Fisher offered the following resolution :

Resolved, That that part of a resolution of this House which requires certain matter to be published with the Militia Law passed at the present session, be rescinded.

Which was adopted.

Mr. Fisher moved that the clerk return to the Senate House bill No. 38.

Which was agreed to.

Mr. Underwood moved that the clerk be instructed to request the Senate to return to the House House bill No. 38.

On motion by Mr. Fisher,
The motion was laid on the table.

House bill No. 59. A bill to regulate the mileage of sheriffs in conveying convicts to the Northern and Southern State Prison, and repealing all acts in conflict therewith.

Was read a third time, and

The question being shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bryan, Bundy, Campbell, Collins of Whitley, Combs, Coopridger, Dashiell, Davis, Edson, Epperson, Erwin, Feagler, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Harvey, Hayes, Heffren, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kitchen, Knowlton, Lods, Lane, Lee, McClurg, Moorman, Moss, Nebeker, Orr, Parrett, Pitts, Prosser, Prow, Ragan, Randall, Roberts, Sloan, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—74.

Mr. Haworth voting in the negative.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Black moved that the rules be suspended and House bill No. 68 read a third time now.

The ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bryan, Bundy, Collins of Whitley, Collins of Adams, Combs, Coopridger, Dashiell, Davis, Epperson, Erwin, Feagler, Fisher, Fleming, Ford, Fordyce, Frasier, Gifford, Goar, Gresham, Harvey, Hayes, Heffren, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jenkinson, Jones of Vermillion, Jones of Wayne, Kitchen, Knowlton, Lods, Lane, Lee, McClurg, Moorman, Moss, Orr, Parrett, Pitts, Prow, Ragan, Randall, Roberts, Sloan, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull and Woods—68.

No one voting in the negative.

So the rules were suspended and the bill read a third time, and

The question being shall the bill pass?

Mr. Stotsenburg moved the previous question.

Which was seconded by the House.

Those who voted in the affirmative were,

Messrs. Atkinson, Black, Brett, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopridger, Dashiell, Davis, Epperson, Feagler, Fisher, Fleming, Ford, Gifford, Goar, Gresham, Harvey, Haworth, Heffren, Henricks, Holcomb, Hopkins, Horton, Hudson, Jenkinson, Jones of Vermillion, Jones of Wayne, Kitchen, Knowlton, Lods, Lane, Lee, McClurg, Moorman, Moss, Nebeker, Orr, Randall, Sloan, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Warrum, Wells, Woodhull, Woods and Mr. Speaker—52.

Those who voted in the negative were,

Messrs. Anderson, Brucker, Bundy, Erwin, Fordyce, Fraley, Frasier, Hayes, Jones of Tippecanoe, Ragan, Roberts, Smith of Miami, Veatch, Williams and Wilson—15.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Senate bill No. 29. An act to amend the ninth section of an act entitled an act to fix the time of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws in conflict therewith, approved March 5, 1859, and prescribing the times of holding, and duration of the terms of the Common Pleas Courts of the counties of Clay, Owen, Green and Putnam.

Mr. Fisher moved to suspend the rules and read the bill a first and second time by its title.

The ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Bingham, Black, Brett, Brucker, Bryan, Bundy, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopridger, Dashiell,

Davis, Edson, Erwin, Feagler, Fisher, Fleming, Ford, Fordyce, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Hudson, Jenkinson, Jones of Vermillion, Jones of Wayne, Lane, Lee, Lightner, McClurg, Moorman, Moss, Nebeker, Newman, Owens, Packard, Pitts, Polk, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Williams, Woodhull, Woods and Mr. Speaker—71.

Those who voted in the negative were,

Messrs. Atkinson, Hurd, Jones of Tippecanoe, Knowlton and Lods—5.

So the rules were suspended, and the bill read a first and second time by its title.

On motion,
Senate bill No. 29 was read a third time, and

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bryan, Bundy, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopridger, Dashiell, Davis, Edson, Epperson, Erwin, Feagler, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lane, Lee, McClurg, Moorman, Moss, Mutz, Nebeker, Orr, Pitts, Prow, Ragan, Randall, Roberts, Sloan, Sherman, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Wilson, Woodhull and Mr. Speaker—75.

No one voting in the negative.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Also—

Senate bill No. 40. An act to amend sections four and seven of an act entitled "an act to provide for the election, fixing the com-
E. S. H. J.—22.

pensation, and prescribing the duties of the Attorney General of the State of Indiana," approved February 21st, 1855.

Mr. Cason moved to suspend the rules, and read the bill a first and second time by its title now.

The ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Bingham, Black, Brett, Brucker, Bryan, Bundy, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopridier, Dashiell, Davis, Edson, Erwin, Feagler, Fisher, Fleming, Ford, Fordyce, Frazier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Hefren, Henricks, Holcomb, Hopkins, Horton, Hudson, Jenkinson, Jones of Vermillion, Jones of Wayne, Lane, Lee, Lightner, McClurg, Moorman, Moss, Nebeker, Newman, Owens, Packard, Pitts, Polk, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Williams, Woodhull, Woods and Mr. Speaker—71.

Those who voted in the negative were,

Messrs. Atkinson, Hurd, Jones of Tippecanoe, Knowlton and Lods—5.

So the rules were suspended, and the bill read a first and second time by its title.

On motion,
The bill was read a third time, and

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Bryan, Bundy, Campbell, Collins of Whitley, Collins of Adams, Dashiell, Davis, Edson, Epperson, Erwin, Feagler, Fisher, Fleming, Fordyce, Fraley, Frazier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Hefren, Henricks, Holcomb, Hudson, Jenkinson, Jones of Vermillion, Jones of Wayne, Kendrick, Knowlton, Lee, McClurg, Moss, Mutz, Nebeker, Newman, Orr, Randall, Sloan, Sherman, Smith of Miami, Stotsenburgh, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Wells, Wilson, Woodhull and Mr. Speaker—59.

Those who voted in the negative were,

Messrs. Brucker, Combs, Coopriders, Hopkins, Horton, Howard, Lods, Prosser, Prow, Roberts, Stevenson and Warrum—12.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Veatch, from the Judiciary Committee, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 61, have had the same under consideration, and directed me to report the same back, without amendment, and recommend its passage.

House bill No. 61. A bill to increase the salary of the Attorney General and provide for the payment thereof.

Was read a third time, and,
On motion by Mr. Jenkinson,
Was laid on the table.

Also—

Senate bill No. 48. A bill to amend the twentieth section of an act entitled "an act concerning the partition of lands," approved May 11th, 1852, and providing for appeals in certain cases.

Mr. Frasier moved that the rules be suspended, and the bill read a first and second time by its title now.

The ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Bingham, Black, Brett, Brucker, Bryan, Bundy, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopriders, Dashiell, Davis, Edson, Erwin, Feagler, Fisher, Fleming, Ford, Fordyce, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Hudson, Jenkinson, Jones of Vermillion, Jones of Wayne, Lane, Lee, Lightner, McClurg, Moorman, Moss, Nebeker, Newman, Owens, Packard, Pitts, Polk, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier,

Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Williams, Woodhull, Woods and Mr. Speaker—71.

Those who voted in the negative were,

Messrs. Atkinson, Hurd, Jones of Tippecanoe, Knowlton and Lods—5.

So the rules were suspended and the bill read a first and second time by its title.

On motion,
The bill was read a third time, and,

The question being, shall the bill pass?

Mr. Frasier moved to lay the bill on the table.
Which was agreed to.

Senate bill No. 55. A bill to amend the 9th section of an act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto, approved March 5, 1859, and to exempt persons from road and poll tax in certain cases.

On motion,
To suspend the rules and read the bill a first and second time by its title,

The ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Bingham, Black, Brett, Brucker, Bryan, Bundy, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopridger, Edson, Erwin, Feagler, Fisher, Fleming, Ford, Fordyce, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Hudson, Jenkinson, Jones of Vermillion, Jones of Wayne, Lane, Lee, Lightner, McClurg, Moorman, Moss, Nebeker, Newman, Owens, Packard, Pitts, Polk, Prow, Ragan, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Williams, Woodhull, Woods and Mr. Speaker—71.

Those who voted in the negative were,

Messrs. Atkinson, Hurd, Jones of Tippecanoe, Knowlton, and Lods—5.

So the rules were suspended, and Senate bill No. 55 was read a first and second time by its title.

Mr. Prosser moved to lay the bill on the table,
Which was agreed to.

Message from the Senate, by Mr. Brown, their Secretary.

MR. SPEAKER :

I am instructed by the Senate to inform the House that the Senate has passed the following House bill, to-wit :

House bill No. 38. A bill providing for the management of the various trust funds belonging to or held by the State of Indiana.

With the following engrossed amendments of the Senate :

Engrossed amendments of the Senate to House bill No. 38 :

Strike out from section one, lines 12 to 16 inclusive, and insert the following, to-wit :

“Prevent the receiving into or paying out of the Treasury, or loaning any of the trust funds held by the State or belonging to the State, as may have been required by law at the date of the passage of said act.”

In which the concurrence of the House is respectfully requested.

The amendment of the Senate was concurred in.

Ordered, That the Clerk inform the Senate thereof.

On motion,
Senate bill No. 27 was taken up and read a third time, and

The question being, shall the bill pass?

On motion, by unanimous consent,
Section three of the bill was struck out.

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brett, Brucker, Bryan, Bundy, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Coopriders, Dashiell, Davis, Edson, Epperson, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Knowlton, Lods, Lane, Lee, McClurg, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Parrett, Prosser, Prow, Randall, Roberts, Sloan, Sherman, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Veatch, Wells, Wilson, Woodhull, Woods and Mr. Speaker—75.

No one voting in the negative.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Message from the Senate, by Mr. Brown, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives of the passage of the following House bill, to-wit :

House bill No. 60. A bill making additional appropriations for the years 1861 and 1862, and defining the fund from which they are to be paid, and providing for a committee to audit claims upon said appropriation, and providing for the expense thereof.

With the following engrossed amendments of the Senate :

In which the concurrence of the House is respectfully requested.

Before the emergency clause insert the following two sections, and change the emergency clause to section twelve :

SEC. 10. The unsettled accounts for State printing executed according to law previous to the year 1861, when ascertained and certified to be correct by the Secretary of State, shall be allowed and paid out of the money appropriated for printing for the years 1861 and 1862.

SEC. 11. That the Governor, Adjutant General and Treasurer of State shall report to the General Assembly at its next session the amount of money expended, and the specific items for which expended under the specific appropriations made at their respective offices, in

this act, and the Librarian shall make a like report of the money expended by him under the appropriations made in this act.

On motion,
The amendments of the Senate were concurred in.

Ordered, That the Clerk inform the Senate thereof.

Mr. Heffren moved to reconsider the vote by which House bill No. 61 was laid on the table.

Mr. Holcomb moved the previous question,
Which was seconded by the House.

The question being on the motion to reconsider,

Messrs. Jenkinson and Roberts demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Anderson, Bingham, Brett, Collins of Whitley, Edson, Erwin, Fisher, Fordyce, Fraley, Frasier, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Hopkins, Hudson, Hurd, Jones of Vermillion, McClurg, Moorman, Packard, Smith of Bartholomew, Sherman, Thompson, Turner, Veatch, Williams, Woodhull, Woods and Mr. Speaker—33.

Those who voted in the negative were,

Messrs. Black, Brucker, Bryan, Bundy, Campbell, Collins of Adams, Coopridner, Dashiel, Epperson, Feagler, Fleming, Gifford, Holcomb, Howard, Horton, Jenkinson, Jones of Wayne, Jones of Tippecanoe, Kitchen, Lods, Lane, Moss, Mutz, Nebeker, Newman, Orr, Owens, Parrett, Polk, Prow, Ragan, Roberts, Sloan, Stevenson, Stotsenburg, Trier, Thomas, and Warrum—39.

So the vote was not reconsidered.

On motion,
The House adjourned till 9 o'clock to-morrow morning.

FRIDAY MORNING, 9 o'clock, }
 May 31, 1861. }

The House met.

On motion,
 The reading of the journal was dispensed with.

On motion by Mr. Bundy,
 Mr. Orr was granted leave of absence for the remainder of the session.

Mr. Warrum offered the following resolution :

Be it Resolved by the House, the Senate concurring therein, That the members of this General Assembly contribute the per diem pay allowed them during the recess to a fund for the relief of sick soldiers for the volunteer regiments of this State. The fund so raised is to be called the Hospital fund, and is to be equally divided between the several regiments of Indiana troops in active service of the State and of the United States, and is to be expended in purchasing such extra supplies as the army surgeons may approve for the use of the sick of the several regiments.

Which,

On motion by Mr. Bundy,
 Was referred to the Committee on Military Affairs.

Mr. Bundy moved to take up Senate messages.
 Which was agreed to.

Message from the Senate, by Mr. Brown, their Secretary.

MR. SPEAKER :

I am instructed by the Senate to inform the House of Representatives that the Senate has passed the following House bill, to-wit:

House bill No. 69. A bill making additional specific appropriations for the year 1861.

With the following engrossed amendments of the Senate.

In which the concurrence of the House of Representatives is respectfully requested.

Amend by adding the following sections:

Sec. —. That William Strange be allowed five dollars for enrolling at the regular session of 1861.

Concurred in.

Sec. —. That Thomas D. Barker be allowed fifty dollars, amount paid A. W. Latimore, one of the Messengers to the investigating committee of the Northern Prison at the regular session of 1861.

Concurred in.

Sec. —. That Bingham, Doughty & Co. be allowed the sum of two hundred and thirty-one dollars for papers and stamps furnished the Senate at the present session.

Concurred in.

Sec. —. That the Indianapolis Journal Company be allowed the sum of two hundred and thirty-one dollars for papers and stamps for the use of the Senate at the present session.

Concurred in.

Sec. —. That A. E. & W. H. Drapier be allowed the sum of four hundred and ninety-eight dollars for six hundred copies of Brevier Legislative Reports, furnished for the use of the Senate—twelve copies to be sent to each Senator.

Concurred in.

Sec. —. That James M. Tyner be allowed the sum of fifteen dollars for services as Secretary of the Senate at the organization of the present session.

Concurred in.

Sec. 10. That Thomas M. Brown, Principal Secretary of the Senate, and William H. Drapier, Assistant Secretary of the Senate, and George W. Parmer and Francis P. Griffith be each allowed the sum of one hundred and sixty dollars for forty days service for the Senate.

Not concurred in.

Sec. —. That Lemuel R. Hartman be allowed the sum of one hundred and fifty-six dollars for thirty-nine days services as Assistant Clerk of the Senate.

Not concurred in.

Sec. —. That Frank Foote be allowed twenty-four dollars for eight days services as Assistant Clerk of the Senate at the present session.

Concurred in.

Sec. —. That James F. Brown be allowed eighteen dollars for six days services as Assistant Clerk of the Senate at the present session.

Concurred in.

Sec. —. That James F. Smith be allowed six dollars for two days services as Assistant Clerk of the Senate.

Concurred in.

Sec. 12. That Charles Griffin be allowed eighteen dollars for six days services as Enrolling Clerk of the Senate.

Not concurred in.

Sec. —. That Samuel J. Thompson, Principal Doorkeeper, be allowed the sum of one hundred and sixty dollars for forty days services at the present session.

Not concurred in.

Sec. —. That James Newbanks be allowed the sum of one hundred and twenty dollars for forty days services as Assistant Doorkeeper of the Senate.

Not concurred in.

Sec. —. That Charles Cochran, Messenger, and Frank Connell and Charles Dennis, Pages, be allowed each the sum of one hundred and twenty dollars for forty days service at the present session.

Not concurred in.

Sec. —. That Julius Bolier be allowed the sum of forty dollars for cleaning spittoons of the Senate Chamber at this session.

Concurred in.

Sec. —. That Robert Browning be allowed one hundred and forty dollars for sundries furnished Senate at the last regular session.

Concurred in.

Sec. —. That Thomas M. Brown, Principal Secretary, and William H. Drapier, Assistant, each be allowed the sum of fifty dollars for indexing Journals of the Senate of the present session.

Not concurred in.

Sec. —. That Samuel Hazzard be allowed twelve dollars for four days services as Doorkeeper of the House of Representatives.

Concurred in.

Sec. —. That William Grose be allowed the sum of twelve dollars as per contract for writing the report of the Committee on State Prison.

Not concurred in.

Amend the bill further as follows:

1st. Increase the allowance of John White three dollars.
Concurred in.

2nd. Strike out from the bill section fifty-nine.
Not concurred in.

3rd. Strike out of section forty-four "one hundred and twenty dollars" and insert "one hundred and sixty dollars."
Not concurred in.

4th. Amend section forty-eight by striking out "one hundred and twenty dollars" and inserting "one hundred and eight dollars," and strike out "forty days" and insert "thirty-six days."
Concurred in.

5th. Amend by striking out of the bill section twenty-one.
Not concurred in.

6th. In section thirty-one strike out "one hundred" and insert "fifty."
Not concurred in.

7th. Strike out of the allowance of the Assistant Clerk of the House, for indexing Journal, "one hundred and fifty dollars" and insert "one hundred dollars."
Concurred in.

Ordered, That the Clerk inform the Senate thereof.

Mr. Kendrick moved to take up House bill No. 66.
Which was agreed to.

House bill No. 66. A bill fixing the tenure of office of the Superintendent of the Indiana Hospital for the Insane, and the Superintendents of the Asylums for the Deaf and Dumb and Blind, and fixing the time of their elections and their salaries; also repealing all laws inconsistent with this act.

Was read a second time.

Mr. Frasier moved the bill be considered as engrossed and read a third time now.

Mr. Bundy moved to amend by laying the bill on the table.
Which was agreed to.

Mr. Bingham asked and obtained leave to introduce the following resolution:

WHEREAS, It is necessary, in view of the perilous character of the times, to use the greatest precaution in the selection of men to military commands, not only for the honor and safety of our country, but for the lives of men; AND WHEREAS, Words and acts are the only evidences by which we determine who are patriots and who are hostile to the General Government; AND WHEREAS, The course pursued by Horace Heffren, a member of this House, at the late regular session, was seditious in its tendency, we cannot look upon his appointment to an important military command as judicious or justifiable; therefore

Resolved, That we hereby express our disapprobation of the act of Oliver P. Morton, Governor of the State of Indiana, in appointing said Horace Heffren Major in the Thirteenth regiment of the Indiana troops.

Mr. Stotsenburg offered the following amendment:

Strike out all after the first part of the preamble and insert the following:

AND WHEREAS, Experience and the history of former wars has shown that it is better that all regimental officers should be selected by the men of the regiment, and not by appointment of the Governor or by any other one-man power; therefore

Resolved by the House of Representatives of the State of Indiana, the Senate concurring therein, That the military laws of the State ought to be so changed that all regimental officers shall be selected by the men of the regiment.

Which was decided out of order.

Mr. Sherman moved to lay the resolution on the table.

Messrs. Roberts and Sherman demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Anderson, Black, Brett, Bryan, Bundy, Campbell, Collins of Whitley, Collins of Adams, Combs, Cooprider, Dashiel, Davis, Epperson, Fisher, Fleming, Fordyce, Fraley, Gifford, Goar, Hall, Harvey, Haworth, Hayes, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Lods, Lane, Lee, Lightner, McClurg, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Orr, Parrett, Pitts, Polk,

Prow, Ragan, Randall, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Thompson, Turner, Underwood, Warrum, Wells, Williams, Woodhull and Woods—70.

Those who voted in the negative were,

Messrs. Atkinson, Bingham, Edson, Erwin, Feagler, Ferguson, Frasier, Gresham and Roberts—9.

So the resolution was laid on the table.

Message from the Senate :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following concurrent resolution, to-wit :

Resolved by the Senate, the House concurring therein, That the Governor be requested to return to the House House bill No. 60, for further consideration.

In which the concurrence of the House of Representatives is respectfully requested.

On motion,

The concurrent resolution was laid upon the table.

Mr. Frasier asked and obtained leave to introduce the following resolution :

Resolved, That the Governor be, and he is hereby respectfully requested to inform this House as to what action has been taken by him for the purchase of arms for the State.

Mr. Turner moved to amend by adding "if consistent with the public interest."

Which was agreed to.

Mr. Gresham moved to amend by calling on the Governor for copies of instructions given to the agents sent out to purchase arms, as well as their replies thereto.

Mr. Davis moved to lay the resolution and amendment on the table. Which was not agreed to.

Mr. Gresham's amendment was then adopted.

Mr. Stotsenburg offered the following further amendment :

And what has been done by them as to the distribution of first class arms to the lower Counties.

Mr. Bundy moved to make the resolution and amendments the special order for to-morrow morning at 9 o'clock.

Which was agreed to.

Message from the Senate :

MR. SPEAKER :

I am instructed by the Senate to inform the House that the Senate insists upon the following amendments to House bill No. 69 : Nos. 7, 8, 12, 14, 15, 18, 23, 25 and 27, and it recedes from

No. 26. A bill making additional specific appropriations for the year 1861.

And the Senate ask that a Committee of Free Conference be appointed for the consideration thereof.

The Senate have appointed Senators Studabaker, Hamilton and March on the part of the Senate.

Mr. Fisher moved that a Committee of Free Conference be appointed by the House to meet a similar Committee on the part of the Senate.

Which was agreed to.

Messrs. Bundy, Stotsenburg and Gresham were appointed on the part of the House.

Ordered, That the Clerk inform the Senate thereof.

House bill No. 64. A bill to amend section forty-six of an act entitled "an act to provide for a general system of common schools, the officers thereof, their respective powers and duties, and matters properly connected therewith, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith.

Was read a third time, and,

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Branham, Brett, Bryan, Col-

lins of Whitley, Collins of Adams, Combs, Cooprider, Dashiell, Davis, Edson, Erwin, Feagler, Fisher, Fleming, Fordyce, Fraley, Gifford, Goar, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Holcomb, Hopkins, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Knowlton, Lods, Lane, Lee, Lightner, McLean, Moorman, Moss, Mutz, Nebeker, Orr, Pitts, Polk, Prosser, Prow, Randall, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Trier, Thomas, Thompson, Turner, Underwood, Wells, Woodhull and Woods—67.

Those who voted in the negative were,

Messrs. Bundy, Campbell, Horton, Newman and Stotsenburg—5.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Bundy moved to take up Senate bill No. 43.
Which was agreed to.

Senate bill No. 43. A bill to ascertain the amount of fees and salaries of the Clerks of the Supreme, Circuit and Common Pleas Courts of this State, of the Sheriff of the Supreme Court and of the various counties in this State, of county auditors, treasurers and recorders, of circuit and district prosecuting attorneys, and to provide punishment for a violation of its provisions.

Was read a third time.

Mr. Frasier moved to lay the bill on the table.
Which was not agreed to.

Mr. Turner moved the previous question.
Which was seconded by the House.

The question being on the passage of the bill.

Those who voted in the affirmative were,

Messrs. Branham, Brett, Brucker, Bryan, Bundy, Campbell, Collins of Whitley, Combs, Cooprider, Dashiell, Edson, Epperson, Feagler, Fisher, Fordyce, Fraley, Gifford, Goar, Harvey, Haworth, Henricks, Holcomb, Hopkins, Howard, Horton, Hudson, Jones of Tippecanoe, Kendrick, Lane, Lightner, McClurg, McLean, Moorman, Newman, Pitts, Polk, Randall, Sloan, Stotsenburg, Trier, Thomas, Underwood and Wells—43.

Those who voted in the negative were,

Messrs. Anderson, Atkinson, Black, Davis, Ferguson, Fleming, Frasier, Hall, Hayes, Heffren, Jones of Wayne, Kitchen, Knowlton, Moss, Nebeker, Packard, Prosser, Prow, Ragan, Smith of Bartholomew, Smith of Miami, Stevenson, Turner, Warrum and Woodhull—25.

So the bill failed for want of a constitutional majority.

Mr. Edson, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No. 26, entitled an act to authorize the process of garnishment against clerks of the circuit and common pleas courts, sheriffs, justices of the peace, constables, and all other officers who collect money by virtue of their office, and executors, administrators, guardians and trustees, would respectfully report that they have had the same under consideration and instruct me to report the same back to the House and recommend its passage.

Senate bill No. 26 was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anderson, Black, Branham, Brett, Bundy, Campbell, Cason, Collins of Whitley, Combs, Coopridger, Dashiell, Davis, Edson, Epperson, Erwin, Ferguson, Fisher, Fordyce, Fraley, Frasier, Gifford, Hall, Heffren, Horton, Howard, Hudson, Jones of Wayne, Kendrick, Lane, Lightner, McClurg, McLean, Moorman, Moss, Nebeker, Newman, Packard, Pitts, Polk, Prow, Ragan, Sloan, Sherman, Smith of Miami, Stevenson, Stotsenburg, Trier Thomas, Thompson, Turner, Underwood, Warrum, Wells and Woodhull—54.

Mr. Haworth voting in the negative.

So the bill failed for want of a constitutional quorum.

On motion,
The House adjourned till 2 o'clock, P. M.

2 O'CLOCK P. M.

The House met.

On motion,

Mr. McLean took the chair.

By unanimous consent,

Mr. Stevenson offered the following joint resolution:

WAEREAS, In view of the unfortunate and distracted State of affairs in our Government, and the fact that several of the States of this Union are now in armed rebellion against the Constitution and laws of the General Government, and that we acknowledge our obligation to sustain the Government in maintaining the Constitution and the supremacy of the laws and the enforcement of obedience thereto; and, whereas, designing men have extensively propagated the belief in the minds of the Southern people that the present war attitude of the North for the purpose of exterminating slavery in the Southern States, which has alarmed and excited them to desperation, and for the purpose of vindicating ourselves and disabusing the mind of the Southern people; therefore, be it

Resolved by the General Assembly of the State of Indiana, That we denounce any attempt from any source whatever to interfere with the domestic institutions of any other State, and while we claim the right to regulate our own domestic institutions, in our own way, subject only to the Constitution of the United States, we freely extend the same right to every other State.

Resolved, That the Governor be, and is hereby directed to transmit a copy of the foregoing preamble and resolution to each of the Governors of the States.

Mr. Jenkinson moved to amend by saying "certain persons in several States of the United States."

On motion by Mr. Jones of Tippecanoe,

The resolution and amendment were made the special order for 10 o'clock to-morrow morning.

E. S. H. J.—23.

By consent,

Mr. Hayes offered the following resolution :

WHEREAS, The Constitution of the State of Indiana, article fifth, section nineteen, declares that "He (the Governor) shall issue writs of election to fill such vacancies as may have occurred in the General Assembly"; and, whereas, it appears from the reported proceedings of the Senate that a vacancy does exist in the General Assembly of said State, on account of the death of the Hon. Richard Robbins, Senator from the county of Decatur, which vacancy has existed for a considerable length of time; therefore,

Resolved, That the Governor be requested to inform this House if he has issued a writ of election to fill such vacancy, and, if such writ of election has not been issued, that he be requested to inform this House why, or for what reason he has failed, refused, neglected or omitted to issue such writ of election as required by the above recited provision of the Constitution.

Mr. Roberts moved to lay the resolution on the table,
Which was agreed to.

Mr. Ragan moved to take from the table the concurrent resolution of the Senate requesting the Governor to return to the House House bill No. 60,

Which was not agreed to.

Message from the Senate :

MR. SPEAKER :

I am instructed by the Senate to inform the House that Senators Blair, Craven and March have been appointed a Committee of Free Conference on the part of the Senate, to act with a similar Committee on the part of the House, for the consideration of Senate bill No. 31, and the engrossed amendments of the House thereto.

On motion,

Messrs. Heffren, Edson and Nebeker were appointed a Committee of Free Conference, on the part of the House, on Senate bill No. 31.

Pending adjournment was Senate bill No. 43, on third reading,
Which failed for want of a constitutional majority.

On a recall,

Those who voted in the affirmative were,

Messrs. Brett, Bryan, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopridger, Dashiell, Edson, Erwin, Feagler, Fisher, Fleming, Fordyce, Goar, Gresham, Harvey, Haworth, Henricks, Holcomb, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Lane, Lee, Lightner, McLean, Moorman, Polk, Randall, Roberts, Sloan, Sherman, Thomas, Underwood, Veatch, Wells, Williams and Mr. Speaker—43.

Those who voted in the negative were,

Messrs. Anderson, Atkinson, Black, Davis, Ferguson, Ford, Frasier, Gifford, Hall, Hayes, Heffren, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Moss, Mutz, Nebeker, Newman, Pitts, Prow, Ragan, Smith of Miami, Stevenson, Thompson, Turner, Warrum, Woodhull—29.

So the bill failed again for want of a constitutional majority.

Mr. Frasier moved to indefinitely postpone the bill,
Which was agreed to.

Also—

Pending at adjournment was Senate bill No. 26,
Which failed for want of a constitutional majority.

On a recall,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Branham, Brett, Bryan, Campbell, Cason, Collins of Whitley, Collins of Adams, Combs, Coopridger, Dashiell, Davis, Edson, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lane, Lee, Lightner, Lods, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Packard, Pitts, Polk, Prow, Ragan, Randall, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Williams, Woodhull, Woods and Mr. Speaker—76.

No one voting in the negative.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Message from the Senate by Mr. Brown, their Secretary :

MR. SPEAKER :

I am instructed by the Senate to inform the House of Representatives, that the Senate has passed the following concurrent resolution, to-wit :

Be it resolved by the Senate, the House of Representatives concurring, That the Treasurer of State is hereby authorized to loan, if there be a sufficient amount of money not otherwise appropriated, to the several officers of the regiments of this State now mustered into the service of the United States, any sum of money not exceeding the amount of the pay roll of the officer making such loan, and the Treasurer is hereby authorized to receive as surety for such loan the pay roll of the officer making such loan, which pay roll shall be assigned to the Treasurer.

In which the concurrence of the House is respectfully requested.

Mr. Fisher offered the following amendment,
Which was adopted.

Amend by inserting after the words "United States" the words "or in the State service."

Mr. Allen moved to lay the resolution and amendment on the table.

Which was agreed to.

House bill No. 36. A bill to provide for stamping worthless and uncurrent bank notes and bills, and prescribing the duties of Auditor of State in relation thereto.

Was read a third time, and,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bryan, Cason, Coopridier, Dashiell, Ferguson, Fisher, Fra-

sier, Goar, Gresham, Moorman, Newman, Sherman, Smith of Miami, Turner and Underwood—15.

Those who voted in the negative were,

Messrs. Black, Campbell, Collins of Whitley, Collins of Adams, Combs, Epperson, Erwin, Fleming, Fraley, Gifford, Hall, Haworth, Hayes, Henricks, Hopkins, Howard, Jenkinson, Jones of Tippecanoe, Kendrick, Kitchen, Knowlton, Lods, Lee, Lightner, Moss, Mutz, Packard, Pitts, Polk, Prosser, Prow, Ragan, Randall, Roberts, Sloan, Smith of Bartholomew, Stevenson, Stotsenburg, Warrum, Wells, Woodhull and Woods—42.

No quorum voting.

On motion,
A call of the House was ordered.

The following members answered to their names.

Messrs. Anderson, Black, Branham, Campbell, Cason, Collins of Whitley, Collins of Adams, Coopridier, Dashiell, Davis, Erwin, Feagler, Ferguson, Fisher, Fleming, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Henricks, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Kendrick, Kitchen, Knowlton, Lods, Lane, Lee, Moorman, Moss, Mutz, Newman, Packard, Parrett, Pitts, Polk, Prosser, Prow, Ragan, Randall, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Thomas, Thompson, Turner, Underwood, Veatch, Warrum, Wells, Woodhull, Woods and Mr. Speaker—69.

On motion,
The further call of the House was dispensed with.

Mr. Ragan moved to indefinitely postpone House bill No. 36.
Which was agreed to.

Also—

House bill No. 24. A bill to amend sections 38, 126, 137 and 162, and to repeal section 138 of an act entitled "An act to provide for a general system of common schools; the officers thereof, and their respective powers and duties, and matters properly connected therewith; and for the establishment and regulation of township libraries; and to repeal all laws inconsistent therewith." Approved March 11, 1861.

With the following engrossed amendments of the Senate:

Amend by inserting as a section the following :

SEC. 6. That section 5 of said act, which reads as follows :

SEC. 5. The lawful voters of the several incorporated towns and cities of the State shall, at their next regular corporation election, and biennially thereafter, elect for the corporation a school trustee, who shall before entering upon the duties of his office, take and subscribe an oath and give bond, similar to the oath and bond required of the township trustee, both of which shall be disposed of in the same manner which is provided for the disposition of the oaths and bonds of township trustees; *Provided*, That nothing herein contained shall be so construed as to prohibit incorporated cities and towns from electing more than one trustee for school purposes; and the said cities and towns shall have power, in accordance with their ordinances or special charters, to direct, in case more than one trustee is elected, which one shall be treasurer for school purposes, and said treasurer shall be governed by all provisions of this act.

Be amended so as to read as follows :

The lawful voters of the several incorporated towns and cities of the State shall, at their next regular corporation election, and biennially thereafter, elect for the corporation a school trustee, who shall, before entering upon the duties of his office, take and subscribe an oath and give a bond, similar to the oath and bond required of the township trustee, both of which shall be disposed of in the same manner which is provided for the disposition of the oaths and bonds of township trustees; and such trustees shall be allowed such reasonable compensation *per diem* for their services as the authorities of such incorporated towns and cities may deem just, to be paid out of the special school tax raised in such towns or cities; *Provided*, That nothing herein contained shall be so construed as to prohibit incorporated towns and cities from electing more than one trustee for school purposes; and the said cities and towns shall have power, in accordance with their ordinances or special charters, to direct, in case more than one trustee is elected, which one shall be treasurer for school purposes, and said treasurer shall be governed by all the provisions of this act.

On motion,
The Senate amendments were concurred in.

Ordered, That the Clerk inform the Senate thereof.

Message from the Senate by Mr. Brown, their Secretary :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives of the passage of the following joint resolution:

Senate joint resolution No. 18. A joint resolution authorizing and requesting the Secretary of State to publish and circulate in the several counties of this State the acts passed at the last regular session of the General Assembly of this State, and giving certain directions to clerks of certain courts in relation thereto.

In which the concurrence of the House is respectfully requested.

The question being on the passage of the joint resolution,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Branham, Brett, Bryan, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopridger, Dashiell, Davis, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Heffren, Henricks, Hopkins, Horton, Howard, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, McLean, Moorman, Owens, Packard, Polk, Prow, Ragan, Randall, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Thomas, Thompson, Turner, Underwood, Veatch, War-rum, Wells, Woodhull and Woods—74.

No one voting in the negative.

So the joint resolution passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Heffren, from the Committee of Free Conference on House bill No. 31, made the following report:

MR. SPEAKER:

The Committee on Free Conference on Senate bill No. 31, report the following as the result of their deliberations:

The Senate recedes from its disagreement to House amendments upon condition that the words "three hundred" be stricken out of second engrossed House amendment, and "two hundred" inserted.

Mr. Veatch moved to concur in the report.
Which was agreed to.

Ordered, That the Clerk inform the Senate thereof.

By consent,

Mr. Fisher introduced

House bill No. 71. A bill making additional appropriations to the Governor's contingent fund.
Which was read a first time.

Mr. Fisher moved to suspend the rules and read the bill a second time by its title now.

The ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Anderson, Black, Branham, Campbell, Collins of Whitley, Collins of Adams, Combs, Coopridier, Dashiell, Davis, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Fordyce, Fraley, Frasier, Gifford, Goar, Hall, Harvey, Haworth, Heffren, Henricks, Holcomb, Hopkins, Hurd, Hudson, Jones of Tippecanoe, Jones of Wayne, Kendrick, Lane, Lightner, Moorman, Nebeker, Newman, Parrett, Prow, Ragan, Randall, Sloan, Sherman, Stotsenburg, Thomas, Thompson, Turner, Underwood, Veatch, Wells, Williams, Woods and Mr. Speaker—55.

Those who voted in the negative were,

Messrs. Ford, Howard, Jenkinson, Kitchen, Knowlton, Lods, Lee, McClurg, McLean, Moss, Mutz, Packard, Pitts, Prosser, Roberts, Smith of Bartholomew, Smith of Miami, Stevenson, Warrum and Woodhull—20.

So the rules were suspended and the bill read a second time by its title.

Message from the Governor.

MR. SPEAKER:

I am directed by the Governor to inform the House that he has approved and signed

House bill No. 48. An act to amend sections 78, 79, 94, 95, 104, 142 and 143, of an act entitled an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county auditors and treasurers, and of the Treasurer and Auditor of State, approved June 21, 1852; and to repeal an act entitled an act to amend the one hundred and forty-third section of an act entitled an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors and appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State, approved June 21, 1852, approved March 4, 1859.

Also—

House bill No. 60. A bill making additional general appropriations for the years 1861 and 1862, and defining the funds from which they are to be paid, and providing for a committee to audit claims upon said appropriations, and providing for the expense thereof.

And has caused copies of the same to be filed in the office of the Secretary of State.

Mr. Branham moved that House bill No. 71 be considered as engrossed and read a third time now.

Which was agreed to.

The bill was read a third time, and

The question being on the passage of the bill,

Mr. McLean offered the following amendment:

Insert as an additional section,

SEC. 2. It is hereby made the express duty of the Governor, under the provisions of this bill, to file in the office of the Auditor of State the proper vouchers for all the distribution of money or moneys appropriated herein.

Which was unanimously adopted.

The question being on the passage of the bill, No. 71, as amended,

Those who voted in the affirmative were,

Messrs. Anderson, Branham, Brett, Bryan, Campbell, Cason, Collins of Whitey, Coopridger, Dashiel, Davis, Epperson, Erwin, Feagler, Ferguson, Fisher, Fleming, Fordyce, Fraley, Frasier, Gifford, Goar, Hall, Harvey, Haworth, Heffren, Henricks, Hopkins, Howard, Jenkinson, Jones of Tippecanoe, Jones of Wayne, Kendrick, Lane, Lee, Lightner, McLean, Moorman, Nebeker, Newman, Parrett, Prow, Ragan, Randall, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stotsenburg, Thomas, Thompson, Turner, Underwood, Veatch, Williams, Woodhull, Woods and Mr. Speaker—59.

Those who voted in the negative were,

Messrs. Ford, Hayes, Horton, Knowlton, Moss, Mutz, Packard, Polk, Prosser, Stevenson and Warrum—11.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Senate bill No. 51. A bill to authorize Courts of Record to order publication of notice of the pendency of any suit as to any defendant, when it shall appear by the return of the Sheriff, or by affidavit, that the residence of such defendant is unknown.

Was read a first time, and passed to a second reading.

Mr. Holcomb presented a memorial from sundry citizens of Gibson county on the subject of a Relief Law.

Which was laid on the table without reading.

Mr. Stotsenburg moved a reconsideration of the vote by which Senate bill No. 43 was indefinitely postponed.

Which was agreed to.

The question being on the passage of the bill,

Mr. Heffren moved to re-commit to a Select Committee, with the following instructions:

Strike out all which relates to penalties, and make the penalties not more than twenty-five dollars nor less than ten dollars.

Which was agreed to, and

Messrs. Heffren, Veatch and Bundy appointed the Committee.

Message from the Senate :

MR. SPEAKER:

I am instructed by the Senate to inform the House that the Senate has passed the following concurrent resolution, to-wit:

Concurrent resolutions expressive of the sentiments entertained by the General Assembly for the Volunteers of the State of Indiana, for their prompt and patriotic response to their country's call:

Resolved, That the Senate and House concurring, contemplate with mingled feelings of pride and gratitude the prompt and patriotic action of the Volunteers of Indiana, without distinction of party, to stand shoulder to shoulder in defence of our country's flag.

Further Resolved, That while we are deeply sensible of the magnitude of the issue to be decided in the struggle already begun in our country and before the civilized world, we have full confidence that the gallant sons of Indiana will meet the shock of battle like veterans, and perform fully the part of our loyal State in crushing out rebellion, and preserving intact the Government bequeathed us by our Fathers.

Further Resolved, That whenever our gallant troops may march under our country's flag they shall be the object of our care, and it shall be our cheerful duty as legislators to make every provision for their wants as soldiers and patriots.

In which the concurrence of the House is respectfully requested.

The resolution was adopted by unanimous consent.

Ordered, That the Clerk inform the Senate thereof.

Mr. Heffren, from the Select Committee, made the following report:

MR. SPEAKER:

The Select Committee, to whom was re-committed Senate bill No. 43, with instructions, have had the same under consideration, and direct me to report the same back to the House with the following amendment:

Strike out all after the word "then," in the fifth line of the sixth section, and insert "ten nor more than twenty-five dollars," and when so amended recommend its passage.

On motion,
The report was concurred in, and amendment adopted.

The question being on the passage of the bill,

The Clerk proceeded to call the roll,

When Mr. Heffren moved a call of the House.
Which was ordered.

The following members answered to their names, to-wit:

Messrs. Anderson, Atkinson, Bingham, Black, Branham, Brett, Brucker, Bryan, Campbell, Cason, Collins of Whitley, Coopridner, Dashiell, Davis, Epperson, Erwin, Feagler, Ferguson, Fisher, Ford, Fordyce, Frasier, Gifford, Goar, Hall, Harvey, Haworth, Heffren, Henricks, Hopkins, Hudson, Jenkinson, Jones of Tippecanoe, Kendrick, Knowlton, Lods, Lane, Lee, Lightner, McClurg, McLean, Moorman, Moss, Mutz, Nebeker, Newman, Packard, Parrett, Pitts, Pitts, Prosser, Ragan, Randall, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—70.

Mr. Heffren moved that the absentees be sent for.
Which was agreed to.

By unanimous consent,

Mr. Wilson was granted leave to record his vote in the affirmative, on the motion to lay on the table Mr. Bingham's resolution.

On motion,
Further proceedings under the call of the House were dispensed with.

The Clerk then proceeded with the call of the roll on the passage of Senate bill No. 43.

Those who voted in the affirmative were,

Messrs. Bingham, Branham, Brett, Brucker, Bryan, Bundy, Campbell, Cason, Collins of Whitley, Coopridner, Dashiell, Edson, Erwin, Ferguson, Fisher, Fordyce, Fraley, Goar, Hall, Harvey, Haworth, Heffren, Henricks, Hopkins, Hudson, Hurd, Jenkinson, Jones of Tippecanoe, Kendrick, Lods, Lane, Lightner, McClurg, McLean, Moor-

man, Newman, Parrett, Prosser, Randall, Robbins, Roberts, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Thomas, Thompson, Underwood, Veatch, Wells, Wilson, Woods and Mr. Speaker—55.

Those who voted in the negative were,

Messrs. Anderson, Atkinson, Black, Collins of Adams, Davis, Epperson, Erwin, Feagler, Ford, Frasier, Gifford, Gresham, Hayes, Howard, Jones of Wayne, Kitchen, Knowlton, Moss, Mutz, Nebeker, Packard, Pitts, Prow, Ragan, Trier, Turner, Warrum and Woodhull—25.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

On motion,

Mr. Roberts was granted leave to record his vote in the negative, on the passage of House bill No. 71.

Mr. Bundy, from the Committee of Free Conference on House bill No. 69, made the following report:

MR. SPEAKER:

The Committee of Free Conference, to whom was submitted the disagreements of the Senate and House of Representatives on House bill No. 69, "a bill making additional specific appropriations for the year 1861," have had the same under consideration, and have agreed to submit the following as their report:

1. The House recedes from its disagreement to section seven of the Senate's amendment, with the following amendment thereto:

That J. J. Hayden, A. H. Brown, C. D. Murray, Edwin Downing, Clerks of the House of Representatives, be each allowed the sum of forty dollars in addition to the amounts allowed them in section forty-five of this act.

2. The House recedes from their disagreement to section 8 of Senate's amendments.

3. The House recedes from their disagreement to section 12 of Senate's amendments.

4. The House recedes from their disagreement to section 13 of the Senate's amendments, with the following amendment thereto :

"That J. D. Mathes and John H. Johnson, principal and assistant Doorkeepers of the House, be each allowed the sum of forty dollars in addition to the amount allowed them in section seven of this act."

5. The Senate recedes from their disagreement to section 14 of Senate amendments.

6. The Committee recommend that in lieu of section 15 of said amendments the following section be substituted :

SEC. —. That Charles Cochran, messenger, and Frank Connell and Charles Dennis, Pages, be each allowed the sum of one hundred dollars for forty days' services at present session of the Senate, and that Eugene Bundy and Allen Gresham, Pages, and James Willard, Messenger of the House, be each allowed the sum of twenty dollars in addition to the sum allowed them in section 46 of this act.

7. The Committee recommend that in lieu of section 18 of Senate amendments, the following section :

"That Thomas M. Brown, principal Secretary, and W. H. Drapier, assistant Secretary, each be allowed the sum of seventy-five dollars for indexing Senate Journal."

8. The House recedes from their disagreement to section 23 of Senate's amendments.

9. The House recedes from their disagreement to section 25 of Senate's amendments.

10. The Senate recedes from their amendment to section 31 of original bill.

11. The Committee agree upon the following as a substitute for section 58 of original bill and in lieu thereof:

That Henry H. Crawford and Azel P. Newkirk, principal and assistant Clerk of the House of Representatives be allowed the sum of seventy-five dollars each for indexing the Journal of the House of Representatives of the present session thereof, and superintending the printing thereof.

DAVID STUDABAKER,
M. L. BUNDY,
ALLEN HAMILTON.

Mr. Stotsenburg, from the same committee, made the following minority report :

MR. SPEAKER:

The undersigned, a member of the Committee of Free Conference upon the specific appropriation bill, while agreeing with the majority with the majority of the Committee on other points, presents the following minority report as to the action of said Committee upon the 21st section of said bill :

The majority of the Committee think that the appropriation to Judge Bicknell for holding a special term of the Monroe Circuit Court before the law of 1861 was passed, should be stricken out. The undersigned can see no good reason for so doing.

The service was rendered under a law of the Legislature. It was outside of the official duties of the Judge. The law in force at the time gave him the compensation. He did his duty, and no one can charge him with having held any court for the purpose simply of getting money out of the State. The term of the court was held also out of his own circuit. The law of 1859, (3d section) if it is in force, could not affect this particular service. The undersigned, therefore, recommends that the House of Representatives do refuse to concur in the amendment of the Senate striking out said section.

Respectfully submitted,

JNO. H. STOTSENBURG.

Mr. Heffren moved to concur in the majority report of the Committee, and moved the previous question,

Which was seconded by the House.

Messrs. Lane and Roberts demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Branham, Bryan, Bundy, Cason, Collins of Whitley, Davis, Edson, Fisher, Fordyce, Frasier, Haworth, Heffren, Henriks, Howard, Jenkinson, Knowlton, McClurg, McLean, Moorman, Mutz, Newman, Randall, Sherman, Thompson, Wells, Woodhull and Mr. Speaker—27.

Those who voted in the negative were,

Messrs. Anderson, Atkinson, Bingham, Black, Brett, Brucker, Campbell, Coopridier, Dashiell, Epperson, Erwin, Feagler, Ferguson, Ford, Fraley, Gifford, Goar, Gresham, Hall, Harvey, Hayes, Holomb, Hopkins, Hudson, Hurd, Jones of Tippecanoe, Jones of Wayne, Kendrick, Kitchen, Lods, Lane, Lee, Lightner, Moss, Nebeker,

Packard, Parrett, Pitts, Prosser, Prow, Roberts, Sloan, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Thomas, Turner, Underwood, Veatch, Warrum, Wilson and Woods—55.

So the report was not concurred in.

On motion by Mr. Nebeker,
The House took a recess till 7½ o'clock P. M.

7½ o'clock P. M.

House met.

On motion,
Mr. McLean took the chair.

Message from the Senate.

MR. SPEAKER:

I am instructed by the Senate to inform the House that the Senate has concurred in report and amendments of the Committee of Free Conference on

Senate bill No. 31. A bill regulating docket fees of district attorneys, &c., and amendments of the House thereto.

Message from the Senate:

MR. SPEAKER:

I am instructed by the Senate to inform the House, that the Senate desire another committee of free conference for the consideration of

House bill No. 69. A bill making additional specific appropriations for the year A. D. 1861, and amendments thereto, and that the Senate have appointed Senators Anthony, Mellett, and Ray said committee on the part of the Senate.

The concurrence of the House is requested.

Also—

That the Senate has passed the following bill of the House, to-wit:

House bill No. 32. A bill supplemental to an act to authorize the construction of levees and drains, approved June 12, 1852.

With the following engrossed amendments of the Senate:

In which the concurrence of the House is respectfully requested.

Strike out of the first section the words "assessment so made," and insert in lieu thereof these words, to-wit: "Estimate of the cost of construction of the proposed work;" and after words "construction of the work" add "or other legitimate objects of the association."

Strike out the second section of the bill. Strike out the third section of the bill, as the provisions therein contained are already provided in the act to which this bill is to be supplemental. Strike out the fourth section of said bill. Strike out the fifth section of said bill. Add the following as a section to said bill:

SEC. —. The Board of Directors shall in no case hereafter order the payment of the full assessment of benefit to the owners of lands unless the same is absolutely required for the completion or repair of the work of such association, but in all cases shall order the payment of so much of said assessment as may be necessary for successfully carrying on and completing such work, and such other necessary expenses as are contemplated by the provisions of said act to which this is supplemental.

Add in the proper place,

That the provisions of this act shall not be applicable to any corporation organized under the provisions of the act to which this act is supplemental, that has constructed more than half of the proposed work.

Mr. Lane moved that the House appoint another Committee of Free Conference on House bill No. 69, to confer with that of the Senate.

Which was agreed to, and

Messrs. Roberts, Bingham and McLean were appointed such Committee.

Ordered, That the Clerk inform the Senate thereof.

Mr. Edson moved to take up House bill No. 32 in the same message.

Which was agreed to.

E. S. H. J.—24.

Mr. Henricks moved to concur in the amendments of the Senate.

Messrs. Atkinson and Knowlton demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Anderson, Brett, Brucker, Bryan, Bundy, Campbell, Cason, Collins of Whitley, Coopridger, Dashiell, Davis, Edson, Epper-son, Erwin, Feagler, Fisher, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Henricks, Holcomb, Hopkins, Horton, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kitchen, Lods, Lane, Lee, Lightner, McClurg, Moorman, Nebeker, Parrett, Pitts, Ragan, Randall, Sloan, Sherman, Smith of Miami, Stotsenburg, Trier, Thomas, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—61.

Those who voted in the negative were,

Messrs. Atkinson, Black, Collins of Adams, Ford, Howard, Knowl-
ton, Moss, Prosser, Prow and Stevenson—10.

So the amendments of the Senate were concurred in.

Ordered, That the Clerk inform the Senate thereof.

Mr. Black moved to take up House bill No. 16.
Which was agreed to.

House bill No. 16 was read a third time, and,

On motion by Mr. Bundy,

Was laid on the table.

Mr. Frasier offered the following joint resolution :

Be it resolved by the General Assembly of the State of Indiana,
That the Paymaster-General be, and he is hereby instructed in com-
puting the time for which the State troops are to be paid, to compute
the same for the several companies from the date of the filing of their
muster rolls in the office of the Adjutant General.

Mr. Knowlton offered the following amendment :

Amend by striking out "filing of muster roll with the Adjutant
General," and insert, "from the election of officers and organization
of the company."

Was read and referred with the resolution.

Mr. Parrett moved to refer the resolution to the Committee on Military Affairs.

Which was agreed to.

Mr. Cason, from a Select Committee, made the following report :

MR. SPEAKER:

The Select Committee to investigate the Quartermaster and Commissary Department, have had the same under consideration and respectfully submit the following report as to the Quartermaster's Department :

The official duties of this office are at all times very intricate and arduous, and the large number of troops called into service, and to be supplied upon a few days' notice by purchase without any established rules or regulations to govern and direct this officer, renders the proper discharge of the duties at this time much more difficult and impossible to be done without errors being committed.

We find no complaints against this office except the blankets and pants furnished Colonel Benton's regiment, and the knapsack straps and infantry equipments contracted for at the first letting by sealed proposals. The blankets were let out to the lowest bidder after public notice and sealed proposals and samples furnished.

There was but little competition, there being no bidders except the one accepted, other than a few from the various woolen manufactories in the immediate vicinity of this city, the total of which would not have supplied the immediate demand had they been ready to have been furnished immediately. This left the Quartermaster no discretion, as the blankets were required without delay, and the bid accepted was the only one offering an immediate supply of the requisite number; and the Quartermaster, after consulting the Inspector-General, Brig. General Morris, and other military officers, accepted the offer named above, made by a Mr. Parrish, of the city of Philadelphia, for about four thousand, at a price ranging from two dollars and twenty cents to three dollars and ten cents per pair, delivered in this city.

When the blankets were delivered a portion of them did not comply with the proposals and samples furnished; but as the Quartermaster was compelled to have the blankets without any delay, he received them at a reduced price. Colonel Benton's regiment was supplied with the inferior blankets.

At a subsequent letting there was more competition, and the Quartermaster procured an excellent blanket at three dollars and ten cents—being considered by the witnesses a very cheap article.

There has been no complaints of the pants except from Col. Benton's regiment, and as they are of a lot of grey cassinett, furnished after being examined by the inspector and several military gentlemen for Colonels Dumont and Benton's regiments, and there being no

complaints from Col. Dumont's regiment, and only from a small portion of Col. Benton's, we consider the cause of complaint to arise from damaged goods overlooked in the inspection, tight fittings and hard usage by the soldiers.

There has been some complaint as to knapsack straps and infantry equipments, but we think the complaints have arisen from a misunderstanding of the matter by the parties complaining, and that the great necessity for the immediate use of the articles fully justify the quartermaster in his action in the premises.

We find all other purchases made in this department satisfactory as to quality and price, and, on an average, far below the prices paid in Ohio and some other States, for the same articles.

The books of this department have been properly kept, and the necessary vouchers on file, in the Auditor's office.

Mr. Vajen has drawn but little money out of the treasury of the State upon his own warrant, but instead thereof has required all persons furnishing articles to draw the money upon the warrant of the Auditor, issued upon the order of the Quartermaster, properly certified by the Inspector General, and attested by the Governor. The care and caution manifested by Mr. Vajen, in this respect, is very commendable. We find that Mr. Vajen has, at all times, where large contracts have been made, counselled and advised with the Governor, General Morris, and the Inspector General, and that he has taken no steps against their advice. There is not the least suspicion to be attached towards General Morris and Mr. Vajen as Quartermaster Generals, or of Col. Miles Murphy, as Inspector General, of any corrupt or dishonest dealing in connection with the discharge of their duties, but they seem to have been prompted in all of their transactions by an ardent and honest desire for the best interest of the State and the personal welfare of the soldiers. In fact, when we take into consideration, the great difficulties of their positions, the large amount of purchases of everything necessary for the comfort of eight thousand men for camp life upon very short notice, we are surprised at the promptness and energy manifested by these officers, as well as the general good quality of the articles furnished, and the average cheapness of the same. We do not think their duties could have been more faithfully performed. And we will take occasion to remark that the appointment by the Governor of Col. Miles Murphy as Inspector General, has been of great advantage and service to the State, and that money has been undoubtedly saved by the honesty and sagacity of this officer in the general supervision of the Commissary and Quartermaster's departments.

We herewith submit the testimony taken in our investigation and upon which we have arrived at our conclusions, in connection with a laborious personal inspection not set forth in the testimony. The amount drawn from the Treasurer up to the seventeenth day of May,

1861, as shown [by the report of the Quartermaster, herewith annexed, has been thirty thousand three hundred and twenty-one dollars and thirty-two cents (\$30,321 32).

All of which is respectfully submitted.

T. J. CASON,
ROBERT PARRETT,
LEWIS PROSSER,
JAS. S. HALL.

On motion,

The report was concurred in.

Mr. Cason, from the Committee on Military Affairs, made the following report :

MR. SPEAKER :

The Military Committee, to whom was referred the message of his Excellency the Governor, in relation to providing by law for the appointment of a Paymaster, &c., have had the same under consideration, and direct me to submit the following report :

That since the reference of the message above referred to, a bill has been introduced by Mr. Speaker Allen, and passed this House.

We would, therefore, recommend the message do lie on the table.
Concurred in.

House bill No. 40 was taken up, and,

On motion by Mr. Prosser,
Laid upon the table.

Mr. Bingham, from the Committee on Military Affairs, made the following report :

MR. SPEAKER :

The Committee on Military affairs, to whom was referred House bill No. 50, introduced by Mr. Thomas of Rush, entitled a bill authorizing commanding officers of the military to abate liquor establishments, have had the same under consideration, and direct me to return the same to this House, and recommend that the same be referred to the Committee on Temperance,
Which was concurred in.

Mr. Brett, from the same committee, made the following report :

MR. SPEAKER :

The Committee on Military Affairs, to whom was referred

House bill No. 47. A bill supplementary to an act entitled "An act for the organization and regulation of the Indiana militia; prescribing penalties for the violation of said regulations; providing for the election and appointment of officers; defining the duties of military and civil officers, and penalties for neglect or violation thereof; providing for courts martial, of administration and military encampment; making appropriations for the support of said militia, repealing all laws heretofore enacted on that subject; saving certain acts therein named, and declaring an emergency for the immediate taking effect thereof.

Have had the same under consideration, and have directed me to report to the House that in the opinion of said committee further legislation on the subject is unnecessary, and they therefore recommend that said bill lie upon the table.

Which was concurred in.

Mr. Bingham, from the same committee, made the following report:

MR. SPEAKER :

The Committee on Military Affairs, to whom was referred House joint resolution No. 8, introduced by Mr. Henricks, proposing to instruct our Senators and request our Representatives in Congress to pass a law giving to each volunteer who shall serve during the present war, 160 acres of the public lands, have had the same under consideration and direct me to report the same back to this House, with the recommendation that said resolutions lie upon the table, as their passage at this time would be inexpedient.

Which was concurred in.

Message from the Senate.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed

Senate bill No. 56. A bill authorizing the Governor to borrow money in certain cases therein specified, and prescribing how the same shall be expended and repaid.

In which the concurrence of the House is respectfully requested.

Senate bill No. 56 was read a first time.

Mr. Bundy moved to suspend the rules and read the bill a second time by its title now.

The ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bryan, Bundy, Campbell, Cason, Collins of Whitley, Collins of Adams, Coopridner, Dashiell, Davis, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Henricks, Holcomb, Hopkins, Horton, Howard, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, McClurg, Moorman, Moss, Nebeker, Newman, Parrett, Pitts, Prosser, Prow, Ragan, Randall, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—77.

Mr. Packard voting in the negative.

So the rules were suspended and the bill read a second time by its title.

Mr. Knowlton offered the following amendment:

After the word "Governor" insert "Auditor and Treasurer of State."

Which was adopted.

Mr. Bundy moved to read the bill a third time now.

Which was agreed to, and Senate bill No. 56 read a third time.

The question being on the passage of the bill,

Those who voted in the affirmative were,

Messrs. Anderson, Atkinson, Black, Brett, Brucker, Bryan, Bundy, Campbell, Cason, Collins of Whitley, Coopridner, Dashiell, Davis, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Henricks, Holcomb, Hopkins, Horton, Howard, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Knowlton, Lods, Lane, Lee, Lightner, McClurg, Moorman,

Nebeker, Newman, Parrett, Pitts, Prosser, Prow, Randall, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—72.

Those who voted in the negative were,

Messrs. Hayes, Moss and Ragan—3.

Mr. Packard present and refusing to vote.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Message from the Senate.

MR. SPEAKER:

I am instructed by the Senate to inform the House that the Senate has passed the following engrossed bill thereof:

Senate bill No. 57. An act to authorize the draining of swamp or wet lands, and providing for the assessment and payment of the damages occasioned thereby.

In which the concurrence of the House is requested.

Mr. Moorman moved to suspend the rules and read Senate bill No. 57 a first and second time by its title now.

The ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Atkinson, Black, Brett, Brucker, Bryan, Bundy, Campbell, Cason, Collins of Whitley, Coopridge, Dashiell, Davis, Epperson, Feagler, Ferguson, Fisher, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Gresham, Hall, Harvey, Haworth, Hayes, Henricks, Hopkins, Horton, Howard, Hurd, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, McClurg, Moorman, Moss, Nebeker, Newman, Packard, Parrett, Pitts, Prosser, Prow, Ragan, Randall, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Trier, Thomas, Turner, Underwood, Veatch, Warrum, Wells, Williams, Wilson, Woodhull, Woods and Mr. Speaker—73.

No one voting in the negative.

Message from the Senate by Mr. Brown, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following House bills :

House bill No. 62. A bill providing for the impeachment of witnesses.

Also,—

House bill No. 68. An act to repeal section seventy-three of an act entitled “an act to provide for the valuation and assessment of the real and personal property and the collection of taxes in the State of Indiana ; for the election of township assessors, &c.

The Senate has also concurred in the engrossed amendments of the House to Senate bill No. 43. A bill to ascertain the amount of fees and salaries of clerks, &c.

Senate bill No. 57 was read a first and second time by its title.

Mr. Jenkinson moved that the bill be read a third time now. Which was agreed to, and

Senate bill No. 57 was then read a third time, and

The question being, shall the bill pass?

Those who voted in the affirmative were.

Messrs. Anderson, Atkinson, Black, Brucker, Bryan, Campbell, Cason, Collins of Whitley, Coopridger, Dashiell, Davis, Edson, Epperson, Erwin, Feagler, Ferguson, Fisher, Ford, Fordyce, Fraley, Frasier, Gifford, Goar, Hall, Harvey, Haworth, Hayes, Henrieks, Holcomb, Horton, Howard, Hudson, Jenkinson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Kitchen, Knowlton, Lods, Lane, Lee, Lightner, Moorman, Moss, Nebeker, Newman, Packard, Parrett, Pitts, Prosser, Ragan, Randall, Sloan, Sherman, Smith of Bartholomew, Smith of Miami, Stevenson, Stotsenburg, Thomas, Trier, Turner, Underwood, Veatch, Warrum, Wells, Wilson, Woodhull, Woods and Mr. Speaker—70.

Mr. Prow voting in the negative—1.

So the bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Parrett offered the following resolution :

WHEREAS, G. C. Moody, one of the Committee on Swamp Land Frauds, has enlisted in the army, and will therefore be unable to attend to his duties on said committee,

Therefore be it resolved, That his place on said committee be declared vecant, and that the same be filled by _____,

Mr. Woods moved to lay the resolution on the table.
Which was agreed to.

The Speaker laid before the House the report of the State Librarian, on the stationery supplied to the House.

Which was laid on the table without reading.

Message from the Senate, by Mr. Brown, their Secretary.

MR. SPEAKER:

I am instructed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bill of the House to-wit :

House bill No. 39. A bill to authorize the removal of convicts from the Southern State Prison, and providing for the employment of convicts in each of said prisons; directing what counties shall send their convicts to the Northern Prison; and providing for carrying on the work in building said Northern State Prison; and making appropriations for the support of said Prisons.

With the following engrossed amendments of the Senate :

In which the concurrence of the Senate is respectfully requested.

1. Amend the seventh section by striking out "thirty thousand" and insert "fifteen thousand."

2. So amend sections having blanks as to make the sections perfect.

3. *Provided*, That the number of convicts to be sent to the Northern Prison may be reduced in the discretion of the Governor.

Mr. Stotsenburg moved that the House refuse to concur in the Senate amendments.

Mr. Smith of Bartholomew moved the previous question.

Which was seconded by the House.

The House refused to concur.

Ordered, That the Clerk inform the Senate thereof.

Mr. Knowlton offered the following joint resolution :

A joint resolution rescinding the appointment of the Committee on Swamp Land Fraud.

Mr. Haworth moved to lay the resolution on the table.
Which was agreed to.

Message from the Senate, by Mr. Brown, their Secretary :

MR. SPEAKER:

I am instructed by the Senate to inform the House of Representatives that the Senate has passed the following bill :

House bill No. 28. A bill providing for the redemption of real property, or any interest therein, sold on execution or order of sale; and providing for the issuing of certificates of purchase in such cases; and for the execution of conveyances; and repealing all laws in conflict therewith.

With the following engrossed amendments of the Senate:

In which the concurrence of the House is respectfully requested.

Add to the end of section 2:

The judgment debtor shall be entitled to the possession of the premises for one year after the sale, and in case they are not redeemed at the end of the year as provided in this act, he shall be liable to the purchaser for their reasonable rents and profits.

Also, that the Senate has concurred in House amendments to

Senate bill No. 56. A bill authorizing the Governor to borrow money in certain cases therein specified, and prescribing how the same shall be expended.

Also, that the Senate has passed

House bill No. 67. A bill to authorize incorporated towns and cities; to erect prisons, and to authorize the imprisonment therein of persons convicted of offences against the laws of such incorporation, or offences against the penal laws of this State, and also persons charged with offences punishable by indictment or presentment temporarily, and to provide for the use of county jails by such incorporation in certain cases,

Without amendment.

Mr. Stotsenburg moved to concur in the Senate amendment to House bill No. 28.

Which was agreed to.

Ordered, That the Clerk inform the Senate thereof.

Message from the Senate, by Mr. Brown, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following House bill:

House bill No. 54. A bill to amend the ninth section of an act regulating the fees of officers and repealing former acts in relation thereto.

Without amendment.

Mr. Jenkinson moved to take from the table Senate bill No. 48.

Which was not agreed to.

Resolved, That the Clerk be directed to furnish the Governor with an enrolled copy of House bill No. 53, as the same passed each branch of this General Assembly—the copy heretofore furnished the Governor having been mislaid.

Which was adopted.

Mr. McLean, from the Committee on Free Conference on House bill No. 69, made the following report:

MR. SPEAKER:

The Committee of Free Conference, to whom was submitted the disagreements of the Senate and House of Representatives on House bill No. 69—a bill making additional specific appropriations for the year 1861—have had the same under consideration and have agreed to submit the following as their report:

1st. The House recedes from its disagreement to section seven of

the Senate's amendment, with the following amendments: That J. J. Hayden, A. H. Brown, C. D. Murray, Edwin Downing, Frank Cunningham and Levi Howland, Clerks of the House of Representatives, be each allowed the sum of forty dollars in addition to the amounts allowed them in section forty-five of this act.

2nd. The House recedes from their disagreement to section eight of the Senate's amendment.

The House recedes from its disagreement to section nine of Senate's amendment, with the following amendment: Strike out \$24 and insert \$32.

The House recedes from its disagreement to section ten of Senate's amendment, with the following amendment: Strike out \$18 and insert \$24.

The House recedes from its disagreement to Senate's amendment to section eleven of Senate's amendment, with the following amendment: Strike out \$6 and insert \$8.

3rd. The House recedes from their disagreement to section twelve of Senate's amendment, with the following amendment: Strike out \$18 and insert \$24.

4th. The House recedes from their disagreement to section thirteen of the Senate's amendments, with the following amendment: That Samuel G. Thompson, Principal Doorkeeper of the Senate, be allowed the sum of one hundred and sixty dollars for forty days services during the present session, of which said sum \$40 is for extra services and money paid out by him in attending upon joint commissary investigation committee.

And that Henry Vandegrift, First Assistant Doorkeeper of the Senate, be allowed the sum of one hundred and twenty dollars for forty days services as such during the present session.

The House recedes from its disagreement to section fifteen of the Senate's amendments, with the following amendment—the Senate agreeing thereto: That Charles Cochran, Senate Messenger, Frank Connell and Charles Dennis, Pages, be each allowed one hundred dollars; and that James H. Willard, Messenger of the House, and Eugene Bundy and Allen Greenhour be allowed each the sum of \$20 in addition to the allowance in section — of the House bill.

The House recedes from its disagreement to section eighteen of Senate's amendment.

The House recedes from its disagreement to Senate's amendment striking out section fifty-nine of the bill.

The House recedes from its disagreement to Senate's amendment to section forty-four of the bill.

The House recedes from its disagreement to Senate's amendment to section twenty-one of the bill.

The Senate recedes from its amendment to section thirty-one.

The House agrees to Senate amendment No. 27, with the following amendment: Strike out \$150 and insert \$100, to be divided

equally between the Principal and First Assistant Clerks of the Senate and House.

All of which is respectfully submitted.

O. F. ROBERTS,
WM. E. McLEAN,
LUCIUS BINGHAM,

Committee on the part of the House.

The question being on concurring in the report of the committee.

Mr. Gresham moved the previous question,
Which was seconded by the House.

Messrs. Gifford and Lane demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bingham, Black, Brett, Bryan, Bundy, Cason, Collins of Whitley, Davis, Edson, Erwin, Feagler, Fisher, Ford, Fordyce, Fraley, Frasier, Gresham, Hall, Harvey, Haworth, Hayes, Hopkins, Howard, Jones of Vermillion, Jones of Wayne, Kendrick, Knowlton, Lightner, McClurg, McLean, Moorman, Moss, Newman, Prosser, Randall, Roberts, Sloan, Sherman, Stevenson, Stotsenburg, Turner, Underwood, Veatch, Wells, Williams, Woodhull and Mr. Speaker—47.

Those who voted in the negative were,

Messrs. Anderson, Atkinson, Brucker, Campbell, Coopridger, Dashiell, Epperson, Ferguson, Goar, Holcomb, Horton, Hurd, Jenkinson, Jones of Tippecanoe, Kitchen, Lods, Lane, Lee, Mutz, Nebeker, Packard, Parrett, Pitts, Prow, Ragan, Smith of Bartholomew, Smith of Miami, Trier, Thomas, Warrum, Wilson and Woods—33.

So the report was concurred in.

Ordered, That the Clerk inform the Senate thereof.

Message from the Senate.

MR. SPEAKER:

I am instructed by the Senate to inform the House that the Senate has refused to recede from its amendments to House bill No. 39, and ask a Committee of Free Conference thereon, and have appointed Senators Ferguson, Mellett and Anthony said committee on the part of the Senate.

Also—

That the Senate has concurred in the report of the Committee of Free Conference of the two houses on House bill No. 69. A bill making additional specific appropriations for the year 1861.

The Speaker appointed Messrs. Stotsenburg, Fisher and Smith of Bartholomew, a Committee of Free Conference on House bill 39.

Mr. Hayes offered the following resolution :

Resolved, That the thanks of this House are due and are hereby tendered to the Hon. Cyrus M. Allen, for the very able, dignified and impartial manner in which he has discharged the duties of Speaker during the present session of the General Assembly.

Mr. Lane moved to lay the resolution on the table.
Which was not agreed to.

The resolution was then adopted.

Message from the Senate.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following House bill :

House bill No. 70. A bill providing for the appointment of Paymaster, defining his duties, fixing his compensation and prescribing punishment for violations of the provisions of the law.

With the following engrossed amendments of the Senate :

Strike out \$1,000 and allow \$500.

And add, in proper place, "unless sooner discharged by the Governor."

Mr. Bundy moved that the House do not concur in the amendments of the Senate.

Which was agreed to.

Ordered, That the Clerk inform the Senate thereof.

Mr. Stotsenburg, from the Committee of Free Conference on House bill No. 39, made the following report:

MR. SPEAKER:

The Committee of Free Conference, to whom was referred the matters of difference between the Senate and House, upon House bill No. 39, "a bill to authorize the removal of convicts from the Southern Prison, &c.," have had the same under consideration, and have agreed to submit the following as their report:

1st. The Senate recedes from its amendment to the 7th section of the bill, so far as it strikes out \$30,000 and inserts \$15,000.

2d. The House recedes from its disagreement to the Senate's amendment to sections 7 and 8, which provides for having the blanks so made as to perfect the section.

3d. The Senate recedes from its amendment to the 1st section, providing for a discretionary power, to be vested in the Governor, as to the removal of the convicts to the Northern State Prison.

On motion,
The report was concurred in.

Ordered, That the Clerk inform the Senate thereof.

Message from the Senate.

MR. SPEAKER:

I am instructed by the Senate to inform the House that the Senate insists upon its amendments to House bill No. 70, a bill providing for appointment of Paymaster, &c., and asks the appointment of a Committee of Free Conference to consider the same.

The Senate has appointed Senators Line, Claypool and Steele said committee on the part of the Senate.

The Speaker appointed Messrs. Jenkinson, Haworth and Bingham, such committee on the part of the House.

Message from the Senate.

MR. SPEAKER:

I am instructed by the Senate to inform the House that the Senate has refused to concur in the report of the Free Conference Commit-

tee appointed by the two Houses, to consider disagreement to amendments to House bill No. 39.

Mr. Sherman moved to reconsider the vote by which the House refused to concur in engrossed amendments to House bill No. 39.

Which was agreed to.

Mr. Sherman moved that the House concur in the amendments of the Senate to House bill No. 39.

Which was agreed to.

Ordered, That the Clerk inform the Senate thereof.

Mr. Jenkinson, from the Committee of Free Conference on House bill No. 59, made the following report:

MR. SPEAKER:

The Committee of Free Conference, to whom was referred the difference between the House and Senate on the salary of Paymaster in House bill No. 59, have agreed to amend the same by inserting the sum of \$750 as his annual salary.

M. JENKINSON.
R. M. HAWORTH.
L. BINGHAM.
A. B. LINE.
J. R. LEE.
B. F. CLAYPOOL.

The report was concurrred in.

Ordered, That the Clerk inform the Senate thereof.

Message from the Senate:

MR. SPEAKER:

I am instructed by the Senate to inform the House that the Senate has concurred in the engrossed amendments of the House to the following Senate bills, to-wit:

Senate bill No. 47. A bill making additional provision for the payment of the loan of two million of dollars authorized by the act of the General Assembly. Approved May 13, 1861.

Also—

Senate bill No. 24. A bill fixing the time of holding the Circuit
E. S. H. J.—25.

Court in Owen county, and repealing all laws in conflict with the provisions of this act.

Also—

Senate bill No. 16. A bill providing for the manner of procuring and quality of subsistence stores and articles in the Quartermaster and Commissary departments, prescribing the duties of certain officers therein mentioned, and the punishment for the violation of the provisions of this act.

Also—

Senate bill No. 32. A bill for the relief of Joseph Moore.

Senate bill No. 28. A bill to provide for the incorporation of street railroad companies.

Also—

The Senate has also passed the following House bill :

House bill No. 53. A bill to extend the time for the completion of certain railroads.

On motion,
The House adjourned till 9 o'clock to-morrow morning.

SATURDAY MORNING, 9 o'clock, }
June 1, 1861. }

House met.

Message from the Senate.

MR. SPEAKER :

I am instructed by the Senate to inform the House of Representatives that the Senate has concurred in the report of the Committee of Free Conference appointed by the two Houses to adjust the differences between them in reference to House bill No. 70, an act provi-

ding for the appointment of Paymaster, defining his duties, fixing his compensation, and prescribing punishment for violations of the same.

Mr. Roberts moved to dispense with the reading of the Journal.

Mr. Ragan objecting, the Clerk proceeded with the reading of the Journal.

During the reading, Messrs. Frasier, Roberts, Gresham, Packard, Bundy and Edson, severally moved to dispense with the further reading of the Journal.

Mr. Ragan still objecting, the motions were decided out of order.

The Journal was read and approved.

Message from the Governor :

MR. SPEAKER :

I am directed by the Governor to inform the House that he has approved and signed House bill No. 53, an act to extend the time for the completion of certain railroads, and has caused a copy of the same to be filed in the office of the Secretary of State.

The hour having arrived for the consideration of the special order for 9 o'clock, being Mr. Frasier's resolution calling on the Governor for information in respect to arms purchased for the State,

Mr. Nebeker moved to lay the resolution on the table.
Which was agreed to.

Mr. Bundy offered the following resolution :

Resolved, That the Secretary of State procure and send to each member of the House and to the officers and reporters thereof, two (2) copies of the Brevier Legislative Reports, also two (2) copies of each of the House, Senate and Documentary Journals, and two (2) copies of the acts of the present session, all to be bound in full sheep.

Mr. Lane moved to amend by striking out "two" and inserting "one."

Mr. Bundy moved to lay the amendment on the table.
Which was agreed to.

The resolution was then adopted.

Mr. Bingham, from the Committee of Ways and Means, made the following report :

MR. SPEAKER :

The Committee of Ways and Means, to whom was referred House bill No. 31, introduced by Mr. Jenkinson, entitled an act to procure additional arms for the citizen soldiery of the State of Indiana, have had the same under consideration, and direct me to report the same back and recommend the same be laid on the table.

Which was concurred in and the bill laid on the table.

Message from the Senate by Mr. Brown, their Secretary :

MR. SPEAKER :

I am directed to inform the House of the adoption by the Senate of the following concurrent resolutions :

Resolved, by the General Assembly of the State of Indiana, That it is with sincere and heartfelt regret that we have heard of the death of Col. Elmer Ellsworth, commander of the New York Zouaves ; that we can hardly be reconciled to this as the fate of one so recently among us, so young, so beautiful and so brave ; that in his death his regiment has lost a gallant leader, the country an ardent and devoted patriot, and in the ranks of his personal friends and the sacred circle of his relatives there is left a void that can never be filled.

*Resolved, That in common with the friends and relatives of Col. Ellsworth, we have the consolation of knowing that he died in the defence of that flag which is the representative emblem of all in the history in the government and civilization of our common country that we hold dear and worth preserving, "the glorious *semper eaden*, the banner of our pride ;" that it is sweet to die for one's country, especially when in the fate of that country is involved the fate of free governments, and common liberty throughout the world for ages to come.*

Resolved, That the death of Col. Ellsworth was caused by a brutal and murderous assassination that ought to receive the unqualified condemnation of all men ; that his assassin met with a swift and merited death, and the only punishment invoked upon the head of his accomplices is that they may be speedily brought to see the wicked and desperate character of the cause in which they are engaged, and submit themselves as loyal citizens under the best government the world ever saw.

Resolved, That copies of these resolutions be transmitted to the

President of the United States, the Commander of the New York Zouaves and the parents of Col. Ellsworth.

On motion,

The resolutions were unanimously adopted.

Ordered, That the Clerk inform the Senate thereof.

Mr. Fisher offered the following concurrent resolution, a concurrent resolution authorizing the Governor to settle with the State Board of Agriculture for the use of, and damage to State Fair Grounds, now occupied as a military encampment :

WHEREAS, The State Board of Agriculture have purchased and fitted up at a heavy expense, grounds upon which to hold annual fairs ; that said Board are largely indebted for said grounds and improvements, which, from the impossibility of holding a successful exhibition during the present season they will be unable to meet, in consequence of which the grounds will be liable to be sold to satisfy a mortgage upon it ;

AND WHEREAS, The State has taken possession of said grounds and improvements thereon for the accommodation of troops, appropriating certain personal property thereon, and doing much damage to the grounds and fixtures : Therefore,

Be it resolved by the House of Representatives, the Senate concurring therein, That the Governor be authorized to settle with said State Board of Agriculture for the use and occupation of such grounds, and such damages as may have been done thereto, and such personal property as may have been taken for the use of the troops, and direct the Auditor to draw a warrant upon the Treasurer for the amount due said Board.

Mr. Stotsenburg offered the following amendment :

Strike out all between the word "encampment," in the seventh line, and the word "and," in the 23d line, and all between the word "thereon," in line twenty-eight, and "therefore," in line thirty; and after the word "Governor," in line thirty-three, insert "and two (2) members on the part of the House with one on the part of the Senate."

Which was accepted by the mover.

The question being on the adoption of the concurrent resolution,

Messrs. Lane and Atkinson demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Anderson, Branham, Bundy, Cason, Dashiell, Davis, Edson, Feagler, Fisher, Fordyce, Fraley, Frasier, Hall, Holcomb, Hurd, Jones of Wayne, Kendrick, McLean, Newman, Polk, Ragan, Randall, Sherman, Stevenson, Stotsenburg, Turner, Wells, Wilson, Woodhull and Mr. Speaker—30.

Those who voted in the negative were,

Messrs. Atkinson, Black, Campbell, Collins of Whitley, Ford, Gifford, Gresham, Hayes, Howard, Jones of Tippecanoe, Lane, Moorman, Nebeker, Parrett, Prow and Smith of Bartholomew—16.

No quorum voting.

Mr. Cason moved a call of the House.

Mr. Atkinson moved to lay the motion for the call on the table. Which was not agreed to.

The call of the House was then ordered.

Those present and answering to their names were,

Messrs. Anderson, Atkinson, Bingham, Black, Branham, Bundy, Campbell, Cason, Collins of Adams, Dashiell, Davis, Edson, Erwin, Feagler, Fisher, Ford, Fordyce, Ferguson, Fraley, Frasier, Gifford, Gresham, Hall, Hayes, Holcomb, Howard, Hurd, Jones of Vermillion, Kendrick, Lane, McLean, Moorman, Mutz, Nebeker, Newman, Parrett, Pitts, Polk, Ragan, Randall, Sherman, Stevenson, Smith of Bartholomew, Stotsenburg, Turner, Underwood, Wells, Wilson, Woodhull, and Mr. Speaker—51.

Mr. McLean moved that the absentees be sent for. Which was agreed to.

The Speaker then announced the Auditing Committee under the general appropriation bill, to consist on the part of the House of Messrs. Branham and Brett.

On motion,
The House adjourned till 2 o'clock, P. M.

2 o'clock, P. M.

The House met.

Mr. Hayes offered the following resolution:

Resolved, That the thanks of this House are due, and are hereby given to Azel P. Newkirk, Principal Assistant Clerk, and to his assistants, Livingston Howland, Frank Cunningham, and C. E. Griffin, for the very efficient and courteous manner in which they have severally discharged their respective duties.

Which was adopted.

On motion by Mr. Sherman,

Resolved, That the names of all the absentees except those who have been granted leave of absence, be entered on the journal.

The names were entered as follows:

Messrs. Brett, Brucker, Bryan, Burgess, Cameron, Collins of Whitley, Combs, Coopridger, Epperson, Fleming, Goar, Harvey, Haworth, Henricks, Hopkins, Horton, Hudson, Jenkinson, Jones of Tippecanoe, Kitchen, Knowlton, Lods, Lee, Lightner, McClurg, Moody, Moss, Orr, Owens, Packard, Prosser, Roberts, Smith of Miami, Trier, Thomas, Thompson, Veatch, Williams, Woodruff and Woods.

On motion by Mr. Stotsenburg,

Resolved, That the thanks of the House be tendered to John D. Mathers, principal Doorkeeper, John H. Johnson, and John Campbell, assistants, for the efficient manner in which they have discharged their duty as officers of this House.

On motion by Mr. Woodhull,

Resolved, That the thanks of this House are due to Henry Crawford, principal Clerk, and Charles D. Murray, Israel P. Smith, James Z. Gower, Edwin Downing, A. H. Brown, and J. J. Hayden, assistant clerks, for the exemplary and efficient manner in which they discharged their several duties as officers of this House.

On motion,

Resolved, That the thanks of this House are due, and are hereby given to James H. Willard, messenger to this House, and Eugene Bundy, and Allen Greenhow, Pages of this House, for the very active, efficient and courteous manner in which they have severally discharged their duties.

Messages from the Senate.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives of the passage of the following concurrent resolution:

In which the concurrence of the House is respectfully requested.

Resolved, By the Senate, the House concurring therein, that this General Assembly will adjourn *sine die* at 11 o'clock A. M. this day.

On motion,
Laid on the table.

MR. SPEAKER:

The Senate has passed the following resolution:

Resolved, That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House, to wait upon his Excellency, the Governor, and inform him that the General Assembly has finished its business, and is about to adjourn *sine die*, unless he has some further communication to make.

On motion,
The resolution was adopted.

The Speaker appointed Messrs. Underwood, Smith of Bartholomew and Woodhull the committee.

MR. SPEAKER:

I am directed by the Senate to inform the House of the passage of the following concurrent resolution thereof:

Resolved, By the Senate, the House concurring therein, that the Governor be and he is hereby authorized to settle with the State Board of Agriculture, and pay the same out of the general appro-

apportionment bill for war purposes, for all damages done to the State Fair grounds and improvements, by the use of the same as a military encampment for the State and United States troops.

On motion,
The resolution was indefinitely postponed.

Also,—

WHEREAS, Under the Federal Constitution no person is eligible to a seat in the Senate of the United States who is not an inhabitant of the State he claims to represent, and whereas the Hon. Jesse D. Bright is no longer an inhabitant of the State of Indiana; and whereas, at an early day of this session of the General Assembly a resolution was introduced in the Senate and referred to the Committee on Federal Relations, directing to inquire “whether Jesse D. Bright is a citizen of the State of Indiana; whether he can, in the present crisis, truly represent the people of this State in the Senate of the United States, and whether his position on the questions now engrossing public attention does not render his further continuance in that body inconsistent with the public interest and safety;” and whereas, a copy of said resolution was, by the President of the Senate and chairman of the Committee on Federal Relations, immediately transmitted to the Hon. Jesse D. Bright, with a letter calling his attention thereto; and whereas, no response whatever has been made to said resolution or letter, and the said Jesse D. Bright no longer takes any interest in the public affairs of the State, and his position on the questions now engrossing public attention is wholly unknown to the people thereof; therefore,

Be it resolved by the General Assembly of the State of Indiana, That Jesse D. Bright has forfeited all the claim that he may have heretofore had to represent this State in the Senate of the United States, and that honorable body is most respectfully and most earnestly requested to permit him no longer to occupy a seat therein as the representative of the State of Indiana, but to declare the same vacant.

Be it further resolved, That the Governor be requested to immediately transmit a copy of these resolutions to the President of the United States.

Mr. Gresham moved to lay the resolution on the table,
Which was agreed to.

Mr. Woodhull, from a select committee, made the following report:
E. S. H. J.—26.

MR. SPEAKER:

The select committee appointed to wait upon the Governor, repaired to the Executive room to perform that duty, and were informed by the Governor's private secretary that his Excellency had left this city on important business.

The Speaker announced Stearns Fisher as a member of the Swamp Land Investigating Committee.

On motion,
The House adjourned till 9 o'clock to-morrow morning.

SUNDAY MORNING, 9 o'clock, }
June 2, 1861. }

The House met.

On motion by Mr. Gifford,

The reading of the journal was dispensed with.

The Speaker then, after a few appropriate remarks, declared the House of Representatives adjourned *sine die*.

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BILLS OF THE HOUSE.

Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other Proceedings.	Approved.	By whom Introduced.
✓ 1	A bill declaring and defining what shall be treason against the State of Indiana, and providing the punishment therefor, defining who are accessories to such crimes, and declaring the punishment therefor.....	16	16, 40, 161					Crain.
✓ 2	A bill to amend an act entitled "An act providing for the election, and prescribing certain duties of the clerk of the Supreme Court," approved May 13, 1852.....	16	52					Frasier.
✓ 3	A bill to authorize the Board of Commissioners of each county, and the corporate authorities of each city and incorporated town within the State, to make appropriations for defense against invasion, insurrection or unlawful violence, and to authorize the levying of a tax for that purpose, and legalizing all appropriations heretofore made.....	16	17, 31, 32	31				Veatch.
✓ 4	A bill making an appropriation to defray the expenses of preparing to respond to the call of the President of the United States for troops.....	27	27, 28, 33, 34, 75, 76	76	125	126	127	Fisher.
✓ 5	A bill for the relief of banking institutions, and providing for changing their place of business.....	28	28, 29					Bingham.
✓ 6	A bill authorizing the Board of Commissioners in the several counties to make appropriations for raising, drilling, and equipping and furnishing companies of volunteers, and for the support of families of volunteers...	32	32, 52, 57, 64, 65	65				Veatch.
✓ 7	A bill to authorize the formation of a military force on the border of the State.....	35	35, 36, 161					Williams.
✓ 8	A bill making an appropriation for the purpose of procuring postage stamps for the use of the General Assembly.....	36	36, 37, 38	38				Smith, Barth'mew.
✓ 9	A bill to provide for refunding Saline funds to persons who have erroneously paid the same to the Treasurer of such funds.....	38	38, 51, 67					Black.
✓ 10	A bill to amend an act entitled "An act to amend the fifth section of an act to fix the times of holding the common pleas courts in the several counties of this State, the duration of the terms thereof, and making all process from the common pleas courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859, and repealing March 9, 1861.....	38	38, 52					Williams.
✓ 11	A bill to provide compensation for Judges performing the official duties of other Judges.....	40	40, 52, 167, 168					Stotsenburg.
✓ 12	A bill to provide for the defense of the State of Indiana, to procure first class arms, artillery, cavalry, and infantry equipments, and munitions of							

13	war, making the necessary appropriations therefor, and authorizing the Governor to borrow money.....	45	45, 46, 48	46	61	61, 62, 142	91	Veatch.
✓ 14	A bill to authorize the Directors of the Indiana State Prison at Jeffersonville to purchase tools, stock and materials, and to employ the convicts for, and on account of the State of Indiana, making appropriations therefor, and making appropriation for the current expenses of the year 1861, and declaring when the same shall take effect.....	51	51, 54, 74, 151, 157, 158, 163					Jones, Vermillion.
✓ 15	A bill supplemental to an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith," approved March 11, 1861.....	51	52, 74					Veatch.
✓ 16	A bill to amend the 420th section of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.....	58	58, 75, 153, 156, 199, 218, 219					Moss.
✓ 17	A bill to prevent white persons, who have intermarried with negroes, mulattoes, or person of color, in testifying in cases where any other white person of the State of Indiana is a party.....	58	58, 77, 162, 163, 163, 370					Owens.
✓ 18	A bill to authorize the Governor of the State of Indiana to borrow in the name and for the use of said State, a sum of money not exceeding one million of dollars, to be appropriated to the payment of the expenses of enrolling or organizing armies, equipping and maintaining in the service of the State, or of the United States, a certain portion of the militia, and to authorize the issuing of coupon bonds, for the payment of principal and interest of the money so borrowed, and requiring taxes to be levied and collected for the payment of the principal and interest of said bonds.....	58	58, 63, 248, 249					Veatch.
✓ 19	A bill to amend the 14th section of an act, entitled "An act to fix the time of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5th, 1859.....	59	59, 77, 149, 150	150	188	189		Goar.
✓ 20	A bill to amend section one of an act, entitled "An act authorizing County Recorders and County Surveyors to issue fee bills," approved March 5th, 1855.....	60	60, 77					Black.
✓ 21	A bill to repeal an act, entitled "An act to authorize the construction of levees and drains.....	60	60, 74, 139					Henricks.
✓ 22	A bill for the organization and regulation of the Indiana militia, prescribing penalties for violations of said regulations, and repealing all laws heretofore enacted on that subject.....	60	60, 61, 90 to 94, 96 to 100	100	159	159, 160, 161, 165, 166, 167	191	Gresham.
	A bill to authorize the Governor to issue bonds, to appoint a board of loan commissioners, and defining the duties requiring the Sinking Fund Commissioners to purchase bonds, defusing their duties in relation to the interest received on the same, and levying a tax to meet the payment of the interest and principal of the bonds to be sold.....	62	62, 63, 83, 84, 94, 95, 95, [182	95	182	183, 184, 185	198	Fisher.

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Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other Proceedings.	Approved.	By whom Introduced.
✓ 23	A bill to amend section 142 of "An act to revise, simplify, and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18th, 1852, so as to extend the times for the return of executions, and the times for advertisement upon them.....	70	70, 103, 156, 199, 218, 219, 220					Stotsenburg.
✓ 24	A bill to amend an act, entitled "An act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith," approved March 11th, 1861.....	72	72, 73, 164, 165, 357, 358	165				Veatch.
✓ 25	A bill supplemental to an act, entitled "An act defining felonies, and prescribing a punishment therefor," approved June 10th, 1852.....	73	72, 74					
✓ 26	A bill making appropriations for the expenses of the present Special Session of the General Assembly	77	77, 78, 79, 79	79	82		90	Knowlton.
✓ 27	A bill providing for relief by valuation and appraisement upon execution upon judgments on all contracts hereafter made	82	82, 104, 156, 199, 218, 220, 221					Williams.
✓ 28	A bill providing for the redemption of real property sold upon execution within this State.....	82	82, 104, 156, 199, 218, 221, 222, 228, 241, 261,	263	379	379, 380		Stotsenburg.
✓ 29	A bill to amend the 9th section of an act, entitled "An act to amend an act to authorize and regulate the business of General Banking passed March 3d, 1855.....	84	84, 85, 85, 86, 132					Fisher.
✓ 30	A bill making appropriations for Hospital for the Insane	90	90, 103, 148, 149	149	187			Kendrick. Jenkinson.
✓ 31	A bill to procure additional arms for the citizen soldiery of the State of Indiana	129	129, 388					Bundy.
✓ 32	A bill supplemental to an act, entitled "An act to authorize the construction of levees and drains," approved June 12th, 1852.....	139	139, 198, 199, 246, 314, 315	315	369	370		
✓ 33	A bill appointing a Board of Subsistence Commissioners, and defining their duties, and defining the duties of certain offices therein mentioned, and prescribing the punishment for the violation of the provisions of this act.....	139	139, 149, 163, 164	164				Fisher.
✓ 34	A bill fixing the terms of office of the Superintendent of the Hospital for Insane, and the Asylums for the Deaf and Dumb and Blind, and providing when the elections thereof shall be held.....	143	143, 202					Veatch.

✓ 35	A bill to amend section 87 of an act entitled "An act providing for the election of justices of the peace, and defining their jurisdiction, powers, and duties in civil cases," approved June 9, 1852.....	153	153, 199, 200, 218				McLean.
✓ 36	A bill to provide for stamping counterfeit, worthless and uncurrent bank bills, and prescribing the duties of the Auditor of State in relation thereto.....	168	168, 192, 199, 356, 357				Graham.
✓ 37	A bill to establish Home Guards in cities and other municipal incorporations, and in counties.....	175	175, 190, 195, 226, 227	227			Bingham.
✓ 38	A bill providing for the management and disbursement of the various Trust funds belonging to or held by the State of Indiana.....	176	176, 177	177	341	332, 534, 341	
✓ 39	A bill to authorize the removal of convicts from the Southern State Prison to the Northern State Prison, and providing for the employment of convicts in each of said prisons, directing what counties shall send their convicts to the Northern State Prison, and providing for carrying on the work in building said Northern State Prison, and making appropriations for the support of said prisoners.....	185	185, 192, 239, 240, 305, 306	306	378	379, 382, 384, 385	Veatch.
✓ 40	A bill to create the — judicial circuit, to provide for the election of a Judge and Prosecuting Attorney therefor, and to fix the times for holding courts therein.....	187	187, 200, 244, 245, 254, 255, 373				Collins, Whitley.
✓ 41	A bill to amend the first section of an act prescribing the powers and duties of Auditor of State, approved May 27, 1852.....	191	191, 200, 230	230			Hayes.
✓ 42	A bill making provisions for the regulation and government of such military volunteer companies as have elected their officers and filed their muster rolls in the office of the Adjutant General of the State of Indiana, and tendered their services to the Governor under the call for troops for active service in the army of the United States, made by the Governor of the State, April —, 1861, and who have not yet been received into active service, constituting such companies the reserve corps of the State of Indiana, and as such making provision for their admission into the Indiana Legion.....	195	195, 196, 286				Orr.
✓ 43	A bill to legalize the incorporation of towns under an act for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties, approved June 11, 1852, and all by-laws, rules, regulations and proceedings adopted in pursuance thereof.....	196	196, 197, 230, 231	231	292		Jones, Wayne.
✓ 44	A bill providing a forfeiture for any person who shall fail to become a member of some regularly authorized company in the Indiana Legion, or in some other militia company authorized by law, and making provisions for the collection of such penalty or forfeiture.....	197	197				Orr.
✓ 45	A bill for the preservation and maintenance of swinging bridges across canals within the corporate limits of cities and towns within the State of Indiana.....	197	197, 198, 231, 255, 256, 257				Jenkinson.
✓ 46	A bill appointing a board of medical examiners to examine applicants for positions of surgeons and assistant surgeons, and requiring the Governor to select from those having certificates of qualification.....	203	203, 204, 209, 210				Fisher.
✓ 47	A bill supplemental to an act, entitled "An act for the organization and regulation of the Indiana militia, prescribing penalties for the violation of said regulations, providing for the election and appointment of offi-						

BILLS OF THE HOUSE—Continued.

Number.	TITLES.	Introduced.	Proceedings Thereon.	Passed House.	Passed Senate.	Other Proceedings.	Approved.	By whom Introduced.
✓ 48	cers, defining the duties of military and civil officers, and penalties for the neglect or violation thereof, providing for courts martial, councils of administration and military encampments, making appropriations for the support of said militia, repealing all laws heretofore enacted on that subject saving certain acts therein named, and declaring an emergency for the immediate taking effect thereof".....	206	206, 207, 250, 251, 374					Warrum.
✓ 49	A bill to amend sections 75, 78, 79, 94, 95, 142 and 143 of an act entitled "An act to provide for the valuation and assessment of the real and personal property and for the collection of taxes in the State of Indiana," approved May 23, 1861.....	207	207, 208, 232, 233	253			361	Brett.
✓ 50	A bill to amend section seven of an act entitled "An act providing for the election of Clerks of the Circuit Court and prescribing some of their duties," approved June 7, 1852, and supplemental thereto, prescribing the management and disposition of certain funds therein named, and the duties of county auditors and treasurers therewith, and repealing all laws conflicting with this act.....	231	231, 249, 284	284				Black;
✓ 51	A bill authorizing commanding officers of the military to abate liquor establishments, approved May 24, 1861.....	228	228, 219, 373					Thomas.
✓ 52	A bill to provide for the organization of Circuit Courts, the election of Judges thereof, defining their powers and duties and the jurisdiction of said courts, and fixing the salaries of said Judges and the number of terms of said courts, and providing for adjourned terms of said courts, and transferring the probate business of the Common Pleas Court to the Circuit Court, and repealing all former laws on the subject.....	233	234, 295					
	A bill supplemental to an act entitled "An act for the organization and regulation of the Indiana Militia, prescribing penalties for violations of said regulations, providing for the election and appointment of officers, defining the duties of military and civil officers and penalties for the neglect or violation thereof, providing for courts martial, councils of administration and military encampments, making appropriations for the support of said militia, repealing all laws heretofore enacted on that subject, saving certain acts therein named, and declaring an emergency for the immediate taking effect thereof".....	235	235, 250, 286					Veatch;

✓ 53	A bill to amend section thirty-four of an act to provide for the incorporation of railroad companies, approved May 11, 1852.....	235	235, 249, 250, 252, 293	293	386	294, 380	367	Laue.
✓ 54	A bill to amend the ninth section of an act regulating the fees of officers and repealing former acts in relation thereto.....	236	236, 250, 260, 261	261	380			Bundy.
✓ 55	A bill authorizing county boards to purchase a portion of the State bonds to be issued by this State.....	236	236, 237, 238	238				Bundy.
✓ 56	A bill fixing the salary and compensation of the Board of Control and other officers of the Northern State Prison, and repealing all laws inconsistent therewith.....	238	238, 239	239				McLeau.
✓ 57	A bill to provide for the location, change or vacation of public highways; for the assessment of damages sustained by such location, change or vacation; and to repeal sections 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 of an act to provide for the opening, changing or vacating highways, approved June 17, 1852.....	247	247, 249, 280, 287	287				Anderson.
✓ 58	A bill to require the Governor to retire on half pay all troops now in the service of the State of Indiana that may not be taken into the service of the United States, and repealing all acts or parts of acts in conflict therewith.....	257	257, 258					Jenkinson.
✓ 59	A bill to regulate the mileage of sheriffs in conveying convicts to the Northern and Southern State Prisons, and repealing all acts in conflict therewith.....	258	258, 259, 260, 272, 335	335	385			Kitchen.
✓ 60	A bill making additional general appropriations for the years 1861 and 1862, and defining the fund from which they are to be paid, and providing for a committee to audit claims upon said appropriations, and providing for the expenses thereof.....	266	266, 267, 268, 269, 273	269	342	342, 343, 349, 354	361	Fisher.
✓ 61	A bill to increase the salary of the Attorney General and to provide for the payment thereof, approved May 28, 1861.....	270	270, 339, 343					Allen.
✓ 62	A bill providing for the impeachment of witnesses in certain cases.....	270	271, 281, 295, 296	296	377			Stotsenburg.
✓ 63	A bill supplemental to an act entitled "An act for the organization and regulation of the Indiana Militia.....	271	271, 272	272				Gresham.
✓ 64	A bill to amend sections three, twenty and forty-six of an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith".....	273, 281	273, 274, 332, 350, 351, 281	351				Atkinson.
✓ 65	A bill to provide additional compensation for State officers therein named, A bill fixing the tenure of office of the Superintendent of the Indiana Hospital for the Insane, and the Superintendents of the Asylums for the Deaf and Dumb and Blind, and fixing the time of their elections and their salaries; also, repealing all laws inconsistent with this act.....	287	287, 347					Jones of Vermillion.
✓ 66	A bill to authorize incorporated towns and cities to erect prisons, and to authorize the imprisonment therein of persons convicted of offences against the laws of such incorporation, or of offences against the penal laws of this State, and also persons charged with offences punishable by indictment or presentment, temporarily, and to provide for the use of county jails by such incorporation, in certain cases.....	290	290, 291	291	380			Kendrick.
✓ 68	A bill to repeal section 73 of an act entitled "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of township							Parrett.

BILLS OF THE HOUSE.—Continued.

Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other Proceedings.	Approved.	By whom Introduced.
✓ 69	assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State.....	297	297, 333, 335, 336	336	377			Black.
✓ 70	A bill making additional specific appropriations for the year 1861.....	297	297 to 304, 311	311	344	345 to 347, 350, 365 to 369, 380 to 383		Fisher.
	A bill providing for the appointment of paymaster, defining his duties, fixing his compensation, and prescribing punishment for violation of the provisions of the same.....	306	306, 307, 308	308	383	384, 386		Allen.
✓ 71	A bill making additional appropriations to the Governor's contingent fund.....	360	369, 361, 362	362		365		Fisher.

BILLS OF THE SENATE.

Number.	TITLES.	Reported from Senate.	Proceedings Thereon.	Passed House.	Other Proceedings.
6	A bill to authorize the Board of County Commissioners of the several counties in the State of Indiana, and the authorities of any incorporated city or town in said State to make appropriations in certain cases, and legalize certain appropriations therein specified.....	38	38, 39, 86, 153, 169, 170	171	188
1	A bill to provide for the employment of six regiments of volunteers for the protection of the property and citizens of the State, and making provision for the organization and equipment of the same, and fixing the compensation of the officers and men composing said force, and for procuring arms therefor.....	68	68, 69, 70, 88, 89, 102, 103, 107 to 113	113	113 to 116, 124 to 126, 128, 129, 131
12	A bill to legalize the acts of the Auditor of State in depositing certain bonds of the State in the Branch at Indianapolis of the Bank of the State of Indiana, as security for \$25,000 borrowed by the Governor, Secretary, Auditor and Treasurer of State, and to assume and provide for the payment of said sum of money by the State.....	70	70, 71, 86, 87	87	114
16	A bill providing for the manner of procuring and the quality of subsistence, stores and articles in the Quartermaster and Commissary Departments, prescribing the duties of certain officers therein mentioned and the punishment for the violation of the provisions of this act.....	122	122, 123, 308, 309, 310	310	386
5	A bill to define certain felonies, and to provide for the punishment of persons guilty thereof.....	132	132, 135 to 138, 144 to 148	148	156, 166
2	A bill defining treason, and the concealment of treason, and prescribing punishment therefor.....	132	132, 138, 150	151	171, 174, 175, 188
8	A bill providing for the appointment of deputies by certain public officers of this State who have or may hereafter enter the military service of the United States, or of this State, and authorizing such deputies to perform all the duties of their principals.....	132	133, 134, 135, 171, 172, 180	180	
10	A bill to authorize incorporated cities and towns to execute bonds for the safety and delivery, upon the demand of the Governor of the State of Indiana, of any and all arms distributed to such cities and towns for the use of the military organizations in such cities and towns, and providing when the same may take effect.....	133	133, 139, 151, 152	152	
19	A bill to authorize the trustees of the State University to appropriate a certain amount of the University funds for the enlargement of its Cabinet and Library, and directing the State Librarian to transfer certain documents and books herein named to the library of the State University,				

BILLS OF THE SENATE.—Continued.

Number.	TITLES.	Reported from Senate.	Proceedings thereon.	Passed House.	Other Proceedings.
20	also making the State Geologist a member of the faculty of the University, and requiring him to deposit specimens in mineralogy and geology in the cabinet of the same.....	172	173, 174	174	
	A bill to amend the twentieth section of an act entitled "An act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859.....	200	200, 201	201	208, 209, 212
30	A bill to secure the collection of rent in certain cases therein named, and to enable persons of small means to rent lands without giving personal or other security therefor.....	228	228, 229, 246, 247, 264 to 266	202	386
28	A bill to provide for the incorporation of street railroad companies.....	245	246, 251, 288, 289, 291, 292		
26	A bill to authorize the process of garnishment against clerks of the Circuit and Common Pleas Courts, sheriffs, justices of the peace, constables and all other officers who collect money by virtue of their office, and executors, administrators, guardians and trustees.....	245	246, 251, 352, 355, 356	356	
27	A bill supplemental to an act entitled "An act to provide for the relocation of county seats, and for the erection and preparation of county buildings in counties where two-thirds of the legal voters have petitioned, designating a site and a house to be used as a court house, and where a deed has been executed, to provide also for the transfer of any equitable title for the termination of actions growing out of such relocation, and for the transfer of the former county property, approved Dec. 22, 1858; so as to legalize and confirm the action of boards of commissioners in cases where public property has been conveyed under the provisions of such act, and to provide for the conveyance of the asylum for the poor in certain cases, and to provide, also, that the trustees created under the act to which this is supplemental shall constitute bodies politic and corporate.....	245	246, 251, 282, 283, 284, 341	342	
31	A bill regulating docket fees of district attorneys in the courts of common pleas and before justices of the peace, and regulating prosecuting and district attorneys' fees for prosecutions on forfeited recognizances.....	276	276, 277, 310, 311	311	334, 354, 359, 360, 368
47	A bill making additional provision for the payment of the loan of two mil-				

BILLS OF THE SENATE.—Continued.

Number.	TITLES.	Other Proceedings.			
		Reported from the Senate.	Proceedings Thereon.	Passed House.	
46	A bill to amend sections 123 and 136 of an act entitled "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors."	331	331, 332	332	
29	A bill to amend the ninth section of an act entitled "An act to fix the time of holding the common pleas courts in the several counties of this State, the duration of the terms thereof, and making all process from the present common pleas courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws in conflict therewith," approved March 5, 1859, and prescribing the times of holding and duration of the terms of the common pleas courts of the counties of Clay, Owen, Greene and Putnam.	336	336, 337	337	
40	A bill to amend sections 4 and 7 of an act entitled "An act providing for the election, fixing the compensation and prescribing the duties of the Attorney General of the State of Indiana," approved February 21, 1855.	337	338, 339	339	
48	A bill to amend the 20th section of an act entitled "An act concerning the partition of lands," approved May 11, 1852, and providing for appeals in certain cases.	339	339, 330, 380		
55	A bill to amend the ninth section of an act entitled "An act providing for the election or appointment of supervisors of highways, and prescribing certain duties, and those of county and township officers in relation thereto," approved March 5, 1859, and to exempt persons from road and poll tax in certain cases.	340	340, 341		
51	"A bill to authorize courts of record to order publication of notice of the pendency of any suit as to any defendant, when it shall appear by the return of the sheriff, or by affidavit, that the residence of such defendant is unknown."	362	362		
56	A bill authorizing the Governor to borrow money in certain cases therein specified, and prescribing how the same shall be expended and repaid....	374	374, 375, 376	376	379
57	A bill authorizing the draining of swamp or wet lands, and providing for the assessment and payment of the damages occasioned thereby	376	376, 377	377	

Number.	TITLES.	Introduced.	Proceedings Thereon.	Passed House.	Passed Senate.	Other Proceedings.	Approved.	By whom Introduced.
✓ 1	A joint resolution tendering all the aid, both in men and means, which this Commonwealth can afford, to put down treason, preserve the Union, enforce the laws, and perpetuate the liberties of the people.....	11	11, 19, 23, 33	33				Roberts.
✓ 2	A joint resolution requesting the Governor to send one thousand stand of arms (temporarily) to the counties of Clark, Floyd, Crawford, Perry, Spencer, Warrick, Vanderburgh and Posey.....	44 53	45, 49 53	45	71	71, 72, 142		Lane. Roberts.
✓ 3	A joint resolution on the subject of Federal Relations.....	101	101, 162					Jenkinson.
✓ 5	A joint resolution to appoint Commissioners to visit and confer with the Legislature of Kentucky.....	181	182	182	187	187		
✓ 6	A joint resolution in regard to the settlement of a claim in favor of the bank department of the Auditor's office, against May, Drake and Bright.....	190	195, 205, 206, 211, 374					Henricks.
✓ 7	A joint resolution instructing the Senators and Representatives in Congress to procure the passage of a law granting 160 acres of land to each of our volunteers in our present army of the United States.....	204	205, 285					Warrum.
✓ 8	A joint resolution instructing Senators and Representatives in Congress to use all lawful means to procure rifles, and other first class arms, for the use of the Indiana troops enlisted into the service of the United States....	274	274, 275, 276					Veatch.
10	A joint resolution requesting the Governor to call out and put under drill a company of cavalry militia in each of the counties bordering upon the Ohio river for sixty days.....	274	274, 275 353	275	280			Stevenson.
✓ 11	A joint resolution authorizing the payment of money by way of advance to the six regiments of Indiana volunteers known as the three months men.....	379	379					Bundy
✓ 12	A joint resolution on the subject of Federal Relations.....							
✓ 14	A joint resolution rescinding the appointment of the Committee on Swamp Land Fraud.....							

JOINT RESOLUTIONS OF THE SENATE.

Number.	TITLES.	Reported from House.	Proceedings thereon.	Passed House.	Other Proceedings.
✓ 1	A joint resolution authorizing the Governor to return home, at the cost of the State, such volunteers as may have come to Indianapolis in regular volunteer companies, and have been discharged.....	14	15	15	
✓ 3	A joint resolution in relation to certain constitutional obligations which rest upon the Government of the United States, and upon the several State governments of the Union.....	79	79, 80	80	82, 83
✓ 4	A joint resolution authorizing the Governor to employ medical aid for the soldiers at Camp Morton No. 2.....	133	134	134	
✓ 8	A joint resolution for the relief of certain counties and county auditors from the penalties prescribed in section 117 of an act to provide for a general system of common schools, &c., approved March 11, 1861, and directing the Superintendent of Public Instruction to make the next apportionment of the school revenue without reference to the diminution authorized by said section 117.....	315	315, 316	316	
✓ 11	A joint resolution (S. No. 9.) authorizing and requiring the Secretary of State to publish and circulate in the several counties of this State the acts passed at the last regular session of the General Assembly of this State, and giving certain directions to clerks of Circuit Courts in relation thereto.....	359	359	359	



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